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Editor's Page

What hurts more? Torture in Abu Ghraib prison by Saddam Hussein's thugs or torture in Abu Ghraib by American brutes? Torture to sustain a vicious dictatorship or torture in the name of democracy? A torture victim might be excused for finding these queries absurd. Americans ought to be unsettled by them. ■ Americans ought also to be disturbed by the responses of some of our shrillest right-wing voices. Tom DeLay, Republican House leader, opposed congressional inquiry into Abu Ghraib because it would be "like saying we need an investigation every time there's police brutality on the street." (*New Republic*, May 24, 2004.) Didn't DeLay once insist urgently on congressional inquiry into a presidential fib about an affair? National "values" were at stake. ■ I sometimes wonder if a Defense Department committee wasn't established to envisage all blunders that might be made in Iraq, and then proceeded to make them policy. If a corporation—say, Halliburton—carried out a "mission" as the Defense Department did in Iraq, would its executives keep their jobs? Would they be able to wave a logo and outsource accountability? In the meantime, Mr. Bush's policy seems governed by his electoral calendar, not Iraqi needs. ■ During a charged moment in the Vietnam era, socialist Norman Thomas reacted against extremists within the left who alienated many Americans by vulgar, demonstrative acts. The flag should be washed, not burned, he protested. Although I don't think Iraq and Vietnam are comparable, I do think Thomas's idea ought to be retrieved, especially after Abu Ghraib. Why not a national flag-washing day timed to the Republican convention, more precisely to Bush's acceptance speech? ■ Harold Meyerson provides a trenchant analysis of the political season in this issue. Bruce Vladeck places the Bush Medicare reform in the context of conservative efforts to weaken all social insurance. Ted Marmor points out that conservatives respond to our burgeoning health care woes with old time religion: markets solve everything. ■ If you want to know why the early left protested unrestrained markets, read Friedrich Engels's description of the social misery they produced in *The Condition of the Working Class in England* (1845). If you prefer our times, read "The Condition of the Working Class in China," a devastating petition presented by American trade unionists to (and dismissed by) the Bush administration: "China's unremitting repression of labor rights robs China's workers of wages, health, and dignity. By lowering wages by between 47 percent and 85 percent, China . . . also diverts millions of manufacturing jobs from countries where labor rights are not so comprehensively denied, increasing unemployment and poverty among workers in developed and developing countries." China's ruling communists read Engels well, just not from his viewpoint. What hurts workers more? A Maoist prison or a communist-capitalist one?

—MC

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Missions Accomplished?

Lowlights of the Bush Administration

Craig Aaron

JANUARY 2001

☑ Jan. 20—On the day of George W. Bush's inauguration, Chief of Staff Andrew Card issues a sixty-day moratorium halting all new health, safety, and environmental regulations issued in the final days of the Clinton administration.

☑ Jan. 23—On the twenty-eighth anniversary of the *Roe v. Wade* decision, Bush reinstates the "global gag rule" barring U.S. funding for abortion counseling abroad.

FEBRUARY 2001

☑ Feb. 5—Bush suspends Clinton's "roadless rule" protecting nearly sixty million acres of forests from logging and road-building.

☑ Feb. 17—Bush signs four anti-union executive orders, including measures to prohibit "project labor agreements" at federal construction sites and to remove job protections for union employees whose companies lose federal contracts.

☑ Feb. 26—Senate Republicans introduce a bill to open up the Arctic National Wildlife Refuge to oil exploration.

MARCH 2001

☑ March 7—At the urging of President Bush, Congress repeals ergonomic regulations designed to protect workers from repetitive-strain injuries.

☑ March 9—Bush issues an executive order to prevent mechanics at Northwest Airlines from going on strike.

☑ March 14—Bush abandons his campaign pledge to regulate carbon dioxide emissions from power plants.

☑ March 20—Bush administration moves to overturn a Clinton regulation reducing the allowable level of arsenic in drinking water.

☑ March 28—Bush backs out of Kyoto treaty on global warming.

APRIL 2001

☑ April 4—United States Department of Agriculture proposes lifting a requirement that all beef used in federal school lunch programs must be tested for salmonella; the proposal is dropped two days later.

☑ April 9—Department of Interior proposes a limit on lawsuits seeking protection of endangered species.

MAY 2001

☑ May 11—Bush administration abandons international effort to crack down on offshore tax havens.

☑ May 16—Vice President Dick Cheney's task force releases its "National Energy Policy" report, calling for weaker environmental regulations and massive subsidies for the oil and gas, coal, and nuclear power industries.

☑ May 26—Congress passes $1.35 trillion tax cut.

☑ May 29—Bush meets with California governor Gray Davis but refuses to impose federal price controls to curtail California's energy crisis.

JUNE 2001

☑ June 19—Cheney refuses to release records of energy task force meetings to the General Accounting Office.

☑ June 22—Bush threatens to veto McCain-Kennedy patients' bill of rights legislation.

☑ June 28—Attorney General John Ashcroft announces a policy that would require gun records be destroyed one day after a background check rather than ninety days later.

JULY 2001

☑ July 9—Bush administration opposes UN

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treaty to curb international trafficking in small arms and light weapons.
☑ July 26—Bush administration rejects international treaty on germ warfare and biological weapons.

AUGUST 2001
☑ Aug. 6—Presidential Daily Briefing warns "Bin Ladin [sic] Determined to Strike in U.S."
☑ Aug. 9—Bush limits stem cell research to "existing lines."

SEPTEMBER 2001
☑ Sept. 6—Justice Department drops effort to break up Microsoft, hoping to speed settlement of antitrust lawsuit.
☑ Sept. 11—Terrorists crash hijacked airliners into the World Trade Center and the Pentagon, killing thousands.
☑ Sept. 22—Bush signs $15 billion airline bailout.

OCTOBER 2001
☑ Oct. 26—Bush signs the USA Patriot Act.
☑ Oct. 29—Justice Department acknowledges but won't identify more than one thousand individuals, mostly immigrants, detained since September 11 attacks.
☑ Oct. 31—Ashcroft authorizes monitoring of attorney-client conversations in terrorism investigations.

NOVEMBER 2001
☑ Nov. 1—Bush issues executive order blocking the release of presidential records.
☑ Nov. 13—Bush orders that "enemy combatants" be tried in military tribunals.
☑ Nov. 14—Justice Department issues regulations allowing illegal immigrants to be detained indefinitely if their release could pose "serious adverse foreign-policy consequences."

DECEMBER 2001
☑ Dec. 11—White House commission recommends privatizing Social Security.
☑ Dec. 12—Bush informs Congress that he intends to pull out of the Anti-Ballistic Missile (ABM) Treaty unilaterally.
☑ Dec. 18—Congress passes $26.4 billion "No Child Left Behind" Act.
☑ Dec. 27—Bush repeals "responsible contractor rule" that had required scrutiny of safety and environmental law violations in the awarding of federal contracts.

JANUARY 2002
☑ Jan. 11—First Afghan prisoners arrive at "Camp X-Ray" in Guantánamo Bay, Cuba; Defense Secretary Donald Rumsfeld declares them "unlawful combatants" with no rights under the Geneva Convention.
☑ Jan. 16—Cheney refuses to provide details of his multiple meetings with Enron officials.

FEBRUARY 2002
☑ Feb. 14—White House unveils its "Clear Skies" initiative calling for voluntary reductions of three major pollutants; the plan would delay by a decade reductions required under existing law.
☑ Feb. 15—Bush approves Yucca Mountain—located ninety miles north of Las Vegas—as the nation's lone repository for high-level nuclear waste.
☑ Feb. 28—IRS records reveal increases in audits of the working poor; audits of large corporations and the rich drop to all-time lows.

MARCH 2002
☑ March 1—News reports reveal that Bush activated a "shadow government" after September 11 attacks without telling Congress; civilian administrators are being sequestered in underground bunkers in case of a terrorist attack.
☑ March 5—Bush's welfare reform proposal advises paying "workfare" recipients less than the minimum wage.
☑ March 10—Pentagon's "Nuclear Posture Review" calls for new, "low-yield" nuclear weapons and lists seven "rogue" nations as possible targets for a nuclear attack.
☑ March 27—Bush signs McCain-Feingold bill banning soft money behind closed doors, then departs immediately for a fund-raising trip.

APRIL 2002
☑ April 2—Bush administration opposes the reappointment of climatologist Robert Watson as head on the UN Intergovernmental Panel of Climate Change.

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☑ April 5—Office of Management and Budget prevents the EPA from declaring a public health emergency over dangerous asbestos fibers that come from a Montana mine and are used in insulation throughout the country.
☑ April 12—Bush officials express support for the ouster of Venezuelan president Hugo Chavez; a day after Chavez returns to power, White House admits that U.S. officials had met with coup plotters.
☑ April 17—Administration insiders admit military tactical errors allowed Osama bin Laden to escape December 2001 battle at Tora Bora.

MAY 2002
☑ May 3—EPA alters its definition of "fill material" to allow coal companies to dump rubble from "mountaintop removal" mining into valleys and streams.
☑ May 6—Bush voids the U.S. signature on the treaty to establish an International Criminal Court.
☑ May 23—Senate joins the House in approving "fast-track" trade authority for the president.
☑ May 30—Ashcroft removes restrictions on domestic spying by the FBI in counterterrorism investigations; new guidelines permit monitoring of political and religious groups without probable cause.

JUNE 2002
☑ June 1—President unveils "Bush doctrine" of preemptive war in a speech at West Point.
☑ June 5—National Highway Traffic and Safety Administration weakens standards on under-inflated tires despite problems at Firestone that caused hundreds of deaths.
☑ June 10—Ashcroft announces that alleged "dirty bomber" José Padilla, an American citizen arrested a month earlier at Chicago's O'Hare airport, is being held indefinitely as an "enemy combatant."

JULY 2002
☑ July 14—SEC Chairman Harvey Pitt says he'll release the entire files on the investigation into Bush's sale of $800,000 in Harken Energy stock if asked by the president; the president doesn't ask.
☑ July 15—Bush administration unveils the "Terrorism Information and Prevention System," or Operation TIPS, a toll-free hotline encouraging meter readers and truck drivers to report "suspicious activity."
☑ July 22—State Department announces it will withhold $34 million in international family planning funds from the United Nations.
☑ July 25—Bush threatens to veto Homeland Security bill unless workers in the new department are stripped of civil service protections.
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AUGUST 2002
☑ Aug. 9—Bush administration issues new medical privacy regulations that don't require patient consent to share records with insurance and pharmaceutical companies or restrict use of medical information for marketing purposes.
☑ Aug. 26—In a speech to the Veterans of Foreign Wars, Cheney says there is "no doubt" Saddam Hussein has weapons of mass destruction and that Iraq could have nuclear weapons "fairly soon."

SEPTEMBER 2002
☑ Sept. 5—Bush administration presents "Healthy Forests Initiative" that would allow more logging of old-growth forests by limiting environmental impact reviews and public comment.
☑ Sept. 19—Bush asks Congress for authority to use "all means he determines to be appropriate" against Iraq.

OCTOBER 2002
☑ Oct. 5—North Korea admits to having secret nuclear weapons program; Bush officials don't publicly disclose the news until Oct. 16.
☑ Oct. 8—Bush invokes the Taft-Hartley Act to end an 11-day lockout of longshore workers that has shut down West Coast ports.

NOVEMBER 2002
☑ Nov. 5—Harvey Pitt resigns after failing to disclose that newly appointed accounting oversight board chairman William Webster had headed the audit committee of a firm accused of accounting improprieties and fraud.
☑ Nov. 20—Pentagon defends development of the "Total Information Awareness" system, a scheme developed by Iran-*contra* veteran John

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Poindexter to mine private data for terrorism clues.
☑ Nov. 27—Bush names Henry Kissinger to head independent commission investigating September 11 attacks.

DECEMBER 2002
☑ Dec. 6—Bush dismisses treasury secretary Paul O'Neill and economic adviser Lawrence Lindsey as the unemployment rate hits 6 percent.
☑ Dec. 17—Bush orders initial missile defense system to be in place by 2004.
☑ Dec. 19—Office of Management and Budget instructs Environmental Protection Agency to value the lives of senior citizens at 63 percent that of younger Americans in a cost-benefit analysis of imposing new air pollution regulations.

JANUARY 2003
☑ Jan. 9—Transportation Security Administration bars 56,000 airport screeners from unionizing.
☑ Jan. 10—Bush administration issues guidelines that could exempt up to twenty million acres of "isolated" wetlands and seasonal streams from protection under the Clean Water Act.
☑ Jan. 15—Bush denounces affirmative action policies at the University of Michigan as an unconstitutional "quota system."
☑ Jan. 29—Bush claims in his State of the Union speech that Saddam Hussein "recently sought significant quantities of uranium from Africa."
☑ Jan. 30—Bush administration seeks exemptions to international treaty banning the ozone-depleting chemical methyl bromide for use on golf courses, among other things.

FEBRUARY 2003
☑ Feb. 5—Secretary of State Colin Powell appears before the UN Security Council to make the case for war with Iraq.

MARCH 2003
☑ March 7—U.N. official exposes as fakes documents showing Iraq attempted to buy uranium from Niger.
☑ March 8—U.S. Army Corps of Engineers awards no-bid contract with a $7 billion limit to a Halliburton subsidiary for fighting possible oil well fires in Iraq.
☑ March 19—War on Iraq begins.
☑ March 27—Department of Labor proposes new overtime rules that could strip millions of extra pay by increasing the number of exempt "white-collar" workers.

APRIL 2003
☑ April 7—Education Secretary Rod Paige says he prefers schools that have a "strong appreciation for the values of the Christian community."
☑ April 12—Congress approves Bush's request for $79 billion to fund the Iraq War and reconstruction.
☑ April 28—Bush administration refuses to sign international anti-tobacco treaty without a "reservation clause" allowing any country to opt out of portions it doesn't like.

MAY 2003
☑ May 1—Aboard an aircraft carrier—with a banner touting "Mission Accomplished" as his backdrop—Bush declares victory in Iraq.
☑ May 22—Bush issues an executive order shielding oil companies in Iraq from legal liability.
☑ May 27—One third of the prevention funds in the $15 billion AIDS bill signed by Bush are earmarked for abstinence education.
☑ May 28—Bush signs $350 billion tax cut—half the size of his original proposal—slashing tax rates on dividends and capital gains.
☑ May 30—On a trip to Poland, Bush says: "We found the weapons of mass destruction. We found biological laboratories . . . for those who say we haven't found the banned manufacturing devices or banned weapons, they're wrong, we found them."

JUNE 2003
☑ June 2—FCC increases media ownership cap, allowing one company to own TV stations reaching up to 45 percent of the country, and lifts the ban on a single company's owning newspapers, TV stations, and radio stations in the same city.
☑ June 2—Inspector general finds that the Justice Department violated the civil rights of

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hundreds of immigrants detained after 9/11.
☑ June 25—Federal Energy Regulatory Commission rejects California's request to cancel $12 billion in long-term contracts signed during the state's energy crisis despite evidence of market manipulation by energy companies.

JULY 2003
☑ July 1—Bush administration suspends military aid to thirty-five countries that refused to grant U.S. citizens immunity before the International Criminal Court.
☑ July 14—Columnist Robert Novak outs the wife of retired ambassador Joseph Wilson as a CIA agent after discussions with "two senior administration officials."
☑ July 15—SEC chairman William Donaldson endorses House bill seeking to limit the ability of state regulators to oversee the securities industry.
☑ July 24—Congress publishes report on September 11 attacks, but the White House omits major portions (reportedly about Saudi Arabia) for "national security" reasons.
☑ July 28—Congress exposes Pentagon plans to create a futures trading market to forecast terrorist attacks.

AUGUST 2003
☑ Aug. 9—EPA inspector general finds that the agency downplayed health risks from the collapse of the World Trade Center under pressure from the White House.
☑ Aug. 20—Ashcroft begins nationwide tour to promote the Patriot Act.
☑ Aug. 27—EPA repeals "New Source Review" rule that had required electric utilities to install anti-pollution equipment when making major upgrades at coal-fired power plants.

SEPTEMBER 2003
☑ Sept. 1—Job losses over the past three years top 2.7 million.
☑ Sept. 7—Bush asks Congress for another $87 billion to fund the occupation of Iraq.
☑ Sept. 17—Bush admits there is no evidence tying Saddam Hussein to September 11 attacks.
☑ Sept. 22—FCC approves the merger of Univision and Hispanic Broadcasting, handing over 80 percent of the Spanish-language radio and television market to one company.

OCTOBER 2003
☑ Oct. 22—Congress bans late-term abortions.
☑ Oct. 29—U.N. official warns of "a palpable risk that Afghanistan will again turn into a failed state, this time in the hands of drug cartels and narco-terrorists."
☑ Oct. 31—13,000 Arab and Muslim immigrants are in deportation proceedings as a result of special registration programs; none has been charged in connection to terrorism.

NOVEMBER 2003
☑ Nov. 21—Senate blocks energy bill, a massive boondoggle that traces its origins to Cheney's secretive energy task force and would provide billions of dollars in subsidies to some of Bush's biggest supporters in the oil and gas, coal, and electric utility industries.
☑ Nov. 23—FBI admits collecting intelligence on antiwar protesters.
☑ Nov. 24—Congressional Republicans and the White House agree to a "compromise" media ownership cap of 39 percent—ensuring that neither Viacom nor News Corp. will be forced to sell any television stations.
☑ Nov. 25—Senate passes $400 billion, Bush-backed Medicare bill, which guarantees a prescription drug benefit starting in 2006 but prevents the government from negotiating lower prices with pharmaceutical companies.

DECEMBER 2003
☑ Dec. 2—Medicare chief Tom Scully announces he's stepping down to consider job offers from three lobbying and two investment firms.
☑ Dec. 23—Bush administration opens 300,000 acres of old-growth timber in Alaska's Tongass National Forest to logging.
☑ Dec. 30—After first case of "mad cow" disease is detected in the United States, USDA bans sale of "downer" cattle—a measure quashed by the agency just weeks earlier.

JANUARY 2004
☑ Jan. 5—Cheney and Justice Antonin Scalia go duck hunting together three weeks after

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the Supreme Court agrees to hear a case about the vice president's energy task force records.

☑ Jan. 16—During a congressional recess, Bush appoints Charles Pickering—who has been rejected twice by the Senate—to the U.S. Court of Appeals.

☑ Jan. 22—Interior Department opens nearly nine million acres of wilderness on Alaska's North Slope to oil drilling.

☑ Jan.23—Chief U.S. weapons inspector David Kay resigns, saying he doesn't believe Iraq's weapons of mass destruction ever existed.

☑ Jan. 29—Bush administration reports that the new Medicare law will cost at least $530 billion over ten years, 30 percent more than Congress was told it would cost.

FEBRUARY 2004

☑ Feb. 7—Bush relents and appoints commission on pre-war intelligence, calls for it to report findings after the presidential election.

☑ Feb. 9—President's Council of Economic Advisers suggests positions at fast-food restaurants should be counted as manufacturing jobs.

☑ Feb. 18—A group of sixty top U.S. scientists, including a dozen Nobel Prize winners, accuses the Bush administration of "misrepresenting and suppressing scientific knowledge for political purposes."

☑ Feb. 23—Rod Paige calls the National Education Association a "terrorist organization."

MARCH 2004

☑ March 12—Medicare actuary says Bush administration threatened to fire him if he told Congress that the White House Medicare plan would cost more than $400 billion.

☑ March 24—Bush shows a slide show at the Radio and Television Correspondents' dinner with pictures of himself looking under tables and out the windows of the Oval Office alongside captions such as "Those weapons of mass destruction must be somewhere!" and "Nope, no weapons over there!"

APRIL 2004

☑ April 1—Bush signs the "Unborn Victims of Violence Act."

☑ April 2—Bush and Cheney appear at a private retreat for the more than five hundred "Rangers" and "Pioneers" who have collected at least $100,000 for the president's campaign.

☑ April 10—After two years of stonewalling, Bush releases declassified version of the Aug. 6, 2001, Presidential Daily Briefing warning "Bin Ladin Determined to Strike in U.S."

☑ April 28—CBS television airs first images of torture and abuse of Iraqi prisoners at Abu Ghraib prison.

☑ April 29—Deputy Defense Secretary Paul Wolfowitz tells Congress the number of U.S soldiers who have died in Iraq is "approximately 500, of which—I can get the exact numbers—approximately 350 are combat deaths." The actual figures: 724 soldiers killed, 522 of them in combat.

☑ April 29—Bush and Cheney appear together behind closed doors in the Oval Office to answer questions from commissioners on the September 11 attacks panel.

MAY 2004

☑ May 4—Army acknowledges it is investigating at least thirty-five cases of abuse or torture of prisoners in Iraq and Afghanistan.

☑ May 6—FDA blocks RU-486, the "morning after pill," from being sold over the counter.

☑ May 7—Sinclair Broadcasting refuses to air *Nightline* broadcast reading the names of the U.S. dead in Iraq on its ABC affiliates.

☑ May 19—General Accounting Office rules that taxpayer-funded "video news releases" touting the Medicare bill are illegal covert propaganda.

☑ May 20—Bush campaign fundraising haul hits the $200 million mark. ●

Craig Aaron is an investigative reporter for Public Citizen's Congress Watch and a senior editor of *In These Times*. He is the editor of *Appeal to Reason: 25 Years In These Times*.

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The Condition of the Working Class in China

On March 16 the AFL-CIO filed a remarkable petition with the U.S. government asking that the U.S. trade representative take action to promote the human rights of China's factory workers. The petition charged that China's brutal repression of internationally recognized workers' rights constitutes an unfair trade practice under section 301 of the Trade Act of 1974. It was the first time in the history of section 301 that a petition has invoked the violation of workers' rights as an unfair trade practice, although it is quite common for corporations to use section 301 to challenge other unfair trade practices, such as violation of intellectual property rights.

The petition thoroughly documents the Chinese government's systematic violation of workers' rights and demonstrates how such exploitation costs hundreds of thousands of U.S. manufacturing jobs and puts downward pressure on wages around the world.

The petition attracted enormous attention around the world. BusinessWeek *claimed it was a "milestone" that "articulated a coherent intellectual position that makes a logical link between trade and labor rights." Even the* Washington Post *editorial page, which has always been fierce in its opposition to linking trade and labor rights, stated that the petition deserved "qualified sympathy."*

On April 29 the Bush administration rejected the petition. While refuting none of the charges made in the petition, the administration referred to it as an example of "economic isolationism." Tom Donahue, the president of the U.S. Chamber of Commerce, was perhaps more honest about why the petition was rejected: "Had the administration accepted the petition . . . we would have married forever human rights and trade, and that would have been a huge mistake."

One wishes Mr. Donahue had explained himself a bit more: a mistake for whom? For ruthlessly exploited workers in China? For laid off manufacturing workers in the United States? Or for American business, which is complicit in and profits from, the exploitation described below?

We are glad to reprint an edited excerpt (minus the footnotes) of the AFL-CIO's petition. The principal author of the petition is Mark Barenberg, a professor of international law at Columbia University. The entire petition, over 100 pages long with 346 footnotes, can be downloaded from the AFL-CIO's Web site at www.aflcio.org/issuespolitics/globaleconomy/upload/china_petition.pdf or at www.dissentmagazine.org. EDS

EACH YEAR, millions of Chinese citizens travel from impoverished inland villages to take their first industrial jobs in China's export factories. Young and mostly female, they are sent by their parents in search of wages to supplement their families' income. They join an enormous submerged caste of temporary factory workers who are stripped of civil and political rights by China's system of internal passport controls.

They enter the factory system and often step into a nightmare of twelve-hour to eighteen-hour work days with no day of rest, earn-

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ing meager wages that may be withheld or unpaid altogether. The factories are sweltering, dusty, and damp. Workers are fully exposed to chemical toxins and hazardous machines, and suffer sickness, disfiguration, and death at the highest rates in world history. They live in cramped cement-block dormitories, up to twenty to a room, without privacy. They face militaristic regimentation, surveillance, and physical abuse by supervisors during their long day of work and by private police forces during their short night of recuperation in the dormitories.

They can do little to relieve their misery. Their movements are controlled by the Public Security forces, who ruthlessly enforce the pass system. They are not permitted to seek better-paying jobs reserved for privileged urban residents. If they assert their rights, they are sent back to the countryside, or worse. Attempts to organize unions or to strike are met with summary detention, long-term imprisonment, and torture. Enmeshed in bonded labor, they frequently cannot even leave their factory jobs, no matter how abusive. They have minimal access to China's legal system, which, in any event, is corrupted by the local Party officials, who extract personal wealth from factory revenue. Their impotence is reflected in their desperate acts of violence and their shocking rate of suicides intended to draw attention to their plight.

Unremitting repression of labor rights robs China's workers of wages, health, and dignity. By lowering wages by between 47 percent and 85 percent, the repression also diverts millions of manufacturing jobs from countries where labor rights are not so comprehensively denied, increasing unemployment and poverty among workers in developed and developing countries. Highly conservative methodologies show that China's labor repression displaces approximately 727,000 manufacturing jobs in the United States alone, and perhaps many more.

China's current level of investment in new factories is unprecedented and will deliver an even greater supply shock to global industry in the next five years, producing even greater losses in U.S. manufacturing jobs—unless the president takes decisive action. Developing countries such as Bangladesh and Indonesia will each lose up to one million manufacturing jobs to China, and Central America and the Caribbean will lose up to one half million jobs in the textile and apparel sector alone. Workers in all countries have a common interest in safeguarding the human rights of China's factory workers.

This petition is not targeted against "free trade" or against China's "comparative advantage" in global markets. Rather, this petition challenges the *artificial* and *severe* reduction of China's labor costs below the baseline of comparative advantage defined by standard trade theory. China reduces labor costs by a system of government-engineered labor exploitation on a scale that is unmatched in the present global economy.

The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)—whose constituent unions represent more than thirteen million workers in the United States, including more than two million manufacturing workers—files this petition under sections 301 and 302 of the Trade Act of 1974, as amended, seeking action by the president to end the Chinese government's unremitting repression of the rights of its manufacturing workers.

Section 301(d) of the Trade Act provides that a trading partner's persistent denial of workers' internationally recognized rights constitutes an unreasonable trade practice. These basic workers' rights include freedom of association; the right to bargain collectively; freedom from compulsory labor; and standards for minimum wages, hours of work, and occupational safety and health. This petition shows that the People's Republic of China (PRC) persistently denies these rights.

China has signed many toothless international agreements requiring it to enforce workers' rights and broken them all. It is therefore appropriate that the U.S. trade representative impose trade remedies against China commensurate with the cost advantage caused by China's repression of workers' rights.

The purpose of the trade remedies is not protectionist. They are, rather, intended to bring about positive change for China's work-

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ers and to ensure fair global competition for workers everywhere. In this spirit, the USTR should also negotiate a binding agreement with China, specifying incremental decreases in the trade remedies if China increasingly complies with workers' rights, measured by specific and verifiable indicators. When China fully protects the basic rights of its workers, it can enjoy normal access to U.S. markets *and* create jobs that are not an affront to human dignity.

Congress first mandated that our trading partners enforce workers' internationally recognized rights in the mid-1980s. One explicit goal of Congress was to implement the Universal Declaration of Human Rights of 1948, which declares that unionization, employment, and adequate wages are fundamental human rights.

Even before the dramatic acceleration in the flow of manufacturing jobs to China in the last few years, Congress had concluded that "[t]he lack of basic rights for workers" in developing countries is "a very important inducement for capital flight and overseas production by U.S. industries."

Congress also recognized that the denial of workers' fundamental rights distributes the benefits of economic growth to "narrow privileged elites," thereby "retarding economic development." Congress was right. Econometric analysis of cross-country data for a large sample of economies in the 1980s and 1990s confirms that the denial of labor rights reduces wages and economic growth, increases inequality, and hampers democratic development.

China's denial of workers' rights is encouraged by a system of world trade and finance that fails to enforce minimum standards of decency at work. Low-wage countries compete for mobile capital. Even if political elites wish to raise the labor standards of their people, they face extreme pressure not to do so, in the absence of global standards that ensure that their competitors will do the same.

Like the discredited laissez-faire regimes of the nineteenth century, today's global rules protect rights of property, contract, and capital but not fundamental rights of personhood, community, and labor. Section 301(d) embodies an alternative model, in which human and social rights are the necessary precondition to democratic and equitable development. Consistent with that model, section 301(b) authorizes the president not only to take trade action to improve China's immediate labor-rights practices but to take any action within his foreign-affairs power to change the rules of trade and finance that encourage China's violations.

The president should therefore refuse to enter into any new trade agreements under the auspices of the World Trade Organization, until that organization gives protection to workers' fundamental rights that is equivalent to the protection given to commercial interests.

The Model of Economic Development Embodied in Section 301(d)

Petitions under sections 301 and 302 are typically filed by U.S. corporations seeking to protect their commercial interests against unfair trade practices by foreign governments. Those unfair trade practices include barriers to imports from the United States, subsidies of exports to the United States, failure to enforce the intellectual property rights of U.S. companies, and many others.

The workers' rights provisions of section 301 are distinctive in several ways. First, unlike other unfair trade practices enumerated in section 301, the workers' rights provisions are aimed at safeguarding fundamental human rights. That aim cannot be dismissed as "protectionist." The goal of those provisions, and of this petition, is not to deny jobs and economic advancement to China's workers. To the contrary. The goal is to use the enormous economic leverage of the United States to induce positive change in China—to achieve respect for the basic rights of China's factory workers.

In 1984, when Congress first authorized the president to use this type of leverage, it made this purpose plain:

> The United States has embraced labor rights, in principle, as well as political rights for all of the people of the world upon adoption of the Universal Declaration of Human Rights in 1948. The Declaration specifically affirms for each person the right to a job, the right to form and join unions, and the right to an adequate standard of living.

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Second, section 301 presupposes that securing the fundamental rights of China's workers is concordant with, and indeed a precondition to, protecting the fundamental rights of U.S. workers. Section 301 protects the rights of U.S. workers against erosion by unfair competition with overseas workers who are denied those rights. Congress knew that

> the lack of basic rights for workers in many [less developed countries] is a powerful inducement for capital flight and overseas production by U.S. industries.

In evaluating the burden on U.S. commerce caused by China's violations of workers' rights, the USTR should therefore focus on the impact on employment, wages, and associational rights of U.S. workers—not on the revenue and profit of U.S. multinational corporations, which may indeed benefit from the exploitation of overseas labor. Under section 301, those profits are ill-gotten and cannot constitute a "benefit" that offsets the burden on U.S. workers. For the same reason, Congress could not have intended that the USTR count the cheaper price of U.S. imports produced by China's exploited workers as a "benefit" to U.S. commerce that offsets the burden on U.S. workers. In any event, U.S. consumers themselves do not wish to buy goods that are cheapened by shattered workers' rights in China and tainted by shattered working lives in the United States.

Third, the workers' rights provisions of section 301 are a sharp alternative to the model of globalization now embodied in the WTO. In the latter—the model of a laissez-faire constitution—it is enough to protect global rights of property, contract, and investment. Congress, to the contrary, recognized that an economic constitution lacking social rights will not produce equitable and sustained economic development, whether for developing or developed countries:

> [P]romoting respect for internationally recognized rights of workers is an important means of ensuring that the broadest sectors of the population within [developing countries] benefit from [access to U.S. markets]. The capacity to form unions and to bargain collectively to achieve higher wages and better working conditions is essential for workers in developing countries to attain decent living standards and to overcome hunger and poverty. The denial of internationally recognized worker rights in developing countries tends to perpetuate poverty, to limit the benefits of economic development and growth to narrow privileged elites, and to sow the seeds of social instability and political rebellion.

In the model of development embodied in section 301(d), the global integration of labor markets, capital markets, and markets in goods and services is not intrinsically a bad thing. If workers' rights are vigorously enforced, then the impoverished and underemployed—whether in China, India, Indonesia, Mexico, or the United States—may improve their standard of living and generate new domestic demand in a virtuous cycle of equitable development, while providing new markets for overseas investors and workers, including those in the United States.

If, however, the workers' rights of one-quarter of the world's workforce are radically suppressed—as they, in fact, are in China—then labor conditions for the world's unskilled and semiskilled workers are worsened; domestic and global demand is depressed; excess productive capacity is created; and a path of inequitable, unsustainable development is promoted.

And when the fundamental right of association is denied, a crucial pillar of democratic governance is lost. The right to form autonomous associations in civil society is a precondition to resisting state tyranny and to mobilizing citizens for participation in pluralist political institutions. In recent years, autonomous worker organizations helped democratize such countries as South Africa, Brazil, Poland, and South Korea—a fact that is not lost on leaders of the Chinese autocracy.

Repudiation of Free Labor Markets

China is now moving up the technology ladder at a rapid pace, becoming an export powerhouse in such sectors as high-technology electronics and precision machinery. Yet, in the post-Mao era of economic reforms, there is still nothing resembling a free labor market in the manufacturing sector. Quite the contrary.

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Through an extraordinary feat of state engineering, China created and perpetuates an enormous sub-caste of factory workers. The existence of the sub-caste is one of the preconditions of China's superheated investment in manufacturing. The real earnings of this sub-caste have remained static or fallen throughout the unprecedented boom in capital investment. China will continue to serve as the world's sweatshop, producing low-technology goods alongside high-technology goods for decades to come—unless the Chinese government radically reverses course and dismantles its controls over factory workers.

There are more than 750 million workers in China—more than the workforce of all OECD countries combined. China's 2002 census showed approximately 160 million in manufacturing and mining, nearly twelve times the manufacturing workforce in the United States. China's manufacturing workers are employed in several different types of enterprises—privately invested enterprises (PIEs), joint-ventures, foreign-invested enterprises (FIEs), urban collectives and cooperatives, township and village enterprises (TVEs), and state-owned enterprises (SOEs).

To the extent that the Western media and public have any knowledge of these enterprises, they may be most familiar with images of large showcase factories owned by Western multinational corporations that have come under pressure from consumer and labor activists. But the vast majority of export workers labor in other facilities, out of public view, producing either directly for export or as subcontractors for larger export enterprises.

Large concentrations of manufacturing enterprises are located in the well-known coastal export regions of the Pearl River Delta (Guangdong) and Yangtze River Delta (Shanghai and Jiangsu). But literally hundreds of towns and cities throughout China have declared themselves export zones. Local officials compete for investment. They benefit personally by extracting revenue from enterprises and workers.

China has approximately 780 million peasants. Between 180 and 350 million are estimated to be "excessive" or in "dire poverty" and available for urban employment. Ten to twenty million will enter the nonagricultural workforce each year during the next two decades. That is, *every year,* China will add more nonagricultural workers than the *total* manufacturing workforce of the United States. In the next three to five years, China will add more workers to its urban workforce than the total manufacturing workforce of the United States, the European Union, and Japan combined.

Classical trade theory maintains that developing countries like China have a "natural" comparative advantage in labor-intensive, unskilled production owing to their large pool of impoverished workers in the countryside. Some cheerleaders of globalization postulate that the pitifully low wage earned by China's export workers—as little as 15 cents to 30 cents per hour—and the brutal treatment they receive are "legitimate," owing to the workers' lack of skill, their abundance, and their low level of productivity. In free labor markets, according to neoclassical economic theory, all workers earn (and deserve) their marginal productivity—that is, they earn what their output is worth.

But the assumptions underlying this simple theory crumble against the hard realities of China's political economy. China's inflation-adjusted manufacturing wages have fallen in the last decade, while labor productivity has rapidly increased from year to year—creating an enormous "wedge" between wage and productivity growth that flatly contradicts naïve economic theory.

It may be true—under assumptions of *full employment* and perfectly *competitive* labor markets—that wages grow at the same rate as productivity. But in China, neither assumption holds. Hundreds of millions of destitute peasants are unemployed or underemployed.

Equally important, workers are not allocated to China's factories by a competitive market. China enforces internal passport controls that create an enormous, submerged caste of exploitable factory workers who are temporary migrants from the countryside. The Chinese system is not formally based on racial differences, but in practice migrant workers are distinguished by dialect and ethnicity; and the privileged class of permanent urban residents

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in fact treats migrant workers from the countryside as an ethnically inferior sub-caste.

Under the *hukou* ("household registration") system enforced by the much-feared Public Security Bureau (PSB), all Chinese citizens must live and work only in the place where they are permanently registered, generally the village, town, or city where their mother or father was registered. A Chinese citizen's place of permanent residence is therefore an inherited status. It is recorded in the "*hukou bu*," or registration booklet that all Chinese households must hold. The *hukou bu* also designates each household as either rural or urban. In practice, the inherited distinction between rural and urban residents produces a deeply entrenched caste system.

The permanent residence of the vast majority of Chinese citizens, of course, is in rural villages. Since the 1980s, peasants holding rural *hukou* have filled the need for labor in China's manufacturing sector, through a governmentally controlled system of labor allocation. If peasants obtain certifications from both sending and receiving provinces, they may migrate to manufacturing towns and cities—but only temporarily and only to fill designated jobs as laborers in factories, construction sites, domestic work for urban families, and assorted menial labor. They are prohibited by law and social prejudice from competing with people holding urban *hukou* for higher-paying jobs in technical, administrative, professional, or managerial jobs. Those holding urban *hukou*, in turn, generally do not seek employment in the low-paying, abusive, and dangerous factory jobs filled by desperately poor migrants from the countryside. Permanent urban residents view the new class of temporary migrant factory workers with extreme prejudice, hostility, and disdain.

THE LANGUAGE of neoclassical economics is not entirely apposite in this context of government labor allocation. Nonetheless, for purposes of explication, we can say that factory workers' supply curve is artificially *shifted downward*—that is, workers offer their labor for lower wages—by at least four sets of government policies that sharply curtail their bargaining power.

First, China's manufacturing workers are not permitted to organize independent unions to defend their basic rights and raise their wages. They are not permitted to strike. The full force of state terror—beatings, imprisonment, psychiatric internment, and torture—is deployed against workers' attempts to exercise their right of association.

Second, the internal passport system denies migrant workers other basic civil and social rights in their temporary urban life, further suppressing their bargaining power and wages. Managers and local officials extract fees and deposits from newly arriving migrant workers and threaten them with even more severe penalties if they quit, enmeshing workers in a system of bonded labor. They are expelled and relocated to the countryside when they are no longer needed in the factory, when they are injured or sickened, or when they seek to assert their labor rights. Local officials in exporting areas compete for investment and, legally or corruptly, extract personal wealth from both state and private enterprises. Migrant workers therefore expect and get little legal protection or recourse from government officials.

Third, as already mentioned, migrant factory workers are denied access to better-paying skilled, technical, administrative, and managerial employment options in the permanent urban sector. They are frozen out of the better-paying urban labor market and overcrowded into the lower-paying rural and factory labor markets. If rural citizens were permitted to work in *any* urban job, not just in factories or construction sites, factory wages would rise—even if the relative wages of permanent urban citizens who now have privileged access to higher-paying jobs outside the factory system might fall.

Fourth, the "reservation wage" of migrant factory workers is set, in part, by the level of subsistence in the countryside. That is, in order to attract the rural unemployed to migrate into unskilled factory production, employers need only offer a wage that marginally exceeds rural subsistence levels plus transportation costs, not a wage that adequately compensates the workers' productivity. The degree of destitution in the Chinese countryside—and, therefore, the level of wages that must be offered

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by factories in order to lure migrant workers from the countryside—is anything but "natural" or "pre-political."

In both the pre- and post-reform eras, economic development strategies systematically transferred resources from those holding rural *hukou* to those holding urban *hukou*. A recent OECD study concluded that, in the mid-1990s, the Chinese government transferred more than $24 billion each year from the rural to the urban economy. Political scientists and economists have comprehensively mapped this fundamental fact of Chinese political economy. An urban *hukou* entitles one to public housing, health care, and pensions—all denied to holders of rural *hukou*. In the pre-reform era, "[t]he main enforcement mechanisms included the state control of agricultural production and procurement, the suppression of food-staple prices, and restrictions on rural-to-urban migration via a household registration system." In the post-reform era, the government continue to undertake "massive transfer[s]," by means of large-scale government investments in city infrastructure and social services to urban elites, paid for in part by an inflationary tax borne principally by the peasantry and in part by urban subsidies channeled through the state-owned banking system, in which rural residents must deposit their savings.

On top of these nationwide policies, local officials support themselves by imposing crushing taxes on rural citizens, driving peasants into factory work:

> The economics are simple, residents said. People in Xiaoeshan eat most of what they grow, and by selling the rest they earn an average annual income of about $25 each. But local officials demand about $37 per person in taxes and fees. Several peasants who refused to pay last year were arrested.

Migrant factory workers "remain confined within . . . the state's persisting imperative: to ally urban growth and productivity with cost-saving, and, as a 'socialist' state, to provide for the city dweller while preserving the ruralite as docile, disposable trespasser, and drudge."

In light of these various mechanisms for artificially suppressing workers' bargaining power, it is not surprising that Chinese factory workers live under conditions that neutral researchers (and Chinese officials themselves) describe as "bestial," "horrific," and "abominable." They are often beaten and physically humiliated by supervisors and private security guards. They are paid far less than the legal minimum wage, which is itself set far below the minimum wages of countries at a comparable level of development. Their wages are often arbitrarily withheld or unpaid. Many work twelve- to eighteen-hour days, seven days a week, without a day of rest for months at a stretch. "Death by over-working"—or *guolaosi*—has become a commonly used term in contemporary China, and it is not used metaphorically. Most firms implement few health and safety measures, exposing workers to death not only by exhaustion but by toxins and machinery as well. China's rates of industrial death and lost limbs exceed any in history.

As a result, a startling number of workers take desperate, violent measures simply to draw attention to their plight—from blocking roads and railways to self-immolation. In contrast with other developing countries, most Chinese migrant workers wish to return to the countryside rather than settle in the city.

The Sub-caste of Migrant Factory Workers

The vast bulk of China's factory workers are temporary migrants holding rural *hukou*. The *hukou* system enmeshes factory workers in a system of bonded labor, a form of forced labor that violates Conventions 29 and 105 of the International Labor Organization and constitutes an unreasonable trade practice under section 301(d) of the Trade Act. Chinese citizens holding rural *hukou* who seek work in towns and cities without government permission are outlaws.

In 1958, the National People's Congress enacted Regulations on Household Registration in the People's Republic of China. These Regulations are still in force. Sections 15 and 16 require that migrants register with the PSB within three days of arrival to the city and re-register after three months. In 1994, the Ministry of Labor issued regulations requiring migrants to obtain from their home government a "registration card for leaving the area for work" and from the urban government a "work permit for personnel coming from outside."

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The registration card and the work permit together constitute a "migrant employment permit." Migrants may be recruited only into designated occupations in a receiving area.

The 1995 Measures on Application for and Issuance of Temporary Residence Permits require migrants to obtain temporary residence permits from the urban PSB. These measures therefore enable the PSB to maintain surveillance of migrant workers in their urban domiciles as well their workplaces. The PSB is required to record the migrant's temporary address and ensure that the migrant's landlord has permanent urban *hukou*. The measures further authorize local governments to impose fees for the residence permits, require migrants to obtain such permits as a precondition to obtaining work permits, and impose fines on migrants who fail to register with the PSB and on employers who hire unregistered migrants. Migrants are required to carry the residence permits at all times and show them to PSB officers upon request.

In order to change her job, a migrant must retrace these steps—that is, the migrant must again obtain a permit to leave her place of permanent registration and then obtain a temporary residence permit and temporary work permit from the receiving urban government.

In addition to the central government's regulations, each provincial, city, and local government has issued its own regulations concerning the fees and certificates that migrants must obtain in order to temporarily reside and work there. Local regulations on temporary residence and work are often complex, ambiguous, or simply unavailable to the public. They are widely impenetrable to migrants, especially the many who are illiterate.

Regardless of the clarity or transparency of the substantive regulations, they are administered arbitrarily and corruptly. Police extort payments from migrants or summarily expel them on the pretext that they fail to meet local regulations. Urban officials sporadically and violently "sweep" migrants out of cities and towns in large numbers—often in response to the demands of permanent residents, who view the migrants as a criminal underclass. For example, Beijing reported that it had taken 98,000 migrants into custody for lack of proper documentation and that 300,000 were "mobilized to leave the city" in 1997 alone. Since the late 1990s, greater unemployment among workers holding permanent urban *hukou* has led to greater antipathy to migrant workers by urban authorities.

Local governments—relying on a 1982 law of the State Council, which authorized local governments to designate jobless migrants as "vagrants and beggars"—have placed jobless migrants in detention and forceably "repatriated" them to their place of permanent residence. Local governments each year have held tens of thousands of migrant workers in "Custody and Repatriation Centers," on the ostensible ground that they cannot show temporary residence and work certificates required in that jurisdiction. Local authorities force detainees in these centers to work on public projects. Detainees are raped, beaten, and otherwise abused. Local officials require detainees to pay "ransoms" to gain release from custody. Once released, migrants are forceably repatriated to their place of permanent registration.

Migrants who fail to find jobs, who lose jobs, or who assert their labor rights remain subject to arrest, detention, fines, and (after processing in the aid stations) expulsion. Cities facing shortages of "drudge" labor may temporarily lighten registration fees and certification requirements or may reduce the level of police violence against migrants. Some local governments in China are currently experimenting with systems of temporary registration that do not impose *de jure* fees and that require migrants to carry and show their national identification cards rather than household registration booklets and other temporary permits. But, again, the *hukou* system, regulatory controls over temporary residence and temporary work, and the strong opportunities and incentives for abuse by police and employers remain in place throughout China.

Alliances between locally entrenched interests and the PSB strongly support the continuance of controls over migrants. As explained above, Party cadres have financial interests in the revenue produced by export enterprises, either as direct "partners" or as beneficiaries of exactions and extortion, and therefore have a strong interest in maintaining a cheap fac-

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tory labor force. Local officials also benefit directly from the official or unofficial revenues produced by work and residence permits. These primary sources of local revenue have become even more vital since 2002, when the central government curtailed the financing of local governments by revenues from state-owned enterprises. And the powerful PSB sees the *hukou* controls as a necessary tool of social control.

Bonded Labor

Bonded labor is a form of forced or compulsory labor that is well recognized in international and domestic law. Bonded labor exists when a worker can exit or quit employment only after payment of severe monetary penalties, repayment of a debt, or loss of a "bond" posted by the worker upon initial hire. Because exit from the workplace is so costly, the worker is subject to highly abusive working conditions.

Academic and human-rights researchers have detailed the mechanisms through which China's *hukou* system produces bonded labor. Workers arriving from the countryside must pay substantial fees to local government officials and to employers in order to obtain residence and work permits required by the *hukou* system. Some of these payments are mandated by central and local law; some are "extra-legal" exactions by corrupt local officials and managers. As described above, the required fees and certificates vary widely from locality to locality, and are administered by local officials with almost complete discretion. Workers routinely go into debt in order to make these various up-front payments.

For example, a migrant to Shenzhen in 2001 needed the following documents, each of which required payment of a substantial fee: a border region pass, a personal identity card, an unmarried status certificate, a certificate to prove birth within China's one-child policy, a work permit, and a temporary residence permit.

On top of these, the migrant was required to pay a bond or "deposit" to the employer. These deposits are as much as four thousand yuan, exceeding one year's wages. Some local governments require enterprises to pay "new-hire" fees, but managers pass those fees on to new workers as well. These investments often exceed the migrant's life savings. To pay for them, migrants incur substantial debt, often payable to their own employer. As in classic bonded labor, a workers' up-front deposit will be lost and her debts will be in default, if the worker attempts to exit the employment relationship.

In addition to the deposit and the debt to cover the deposit, employers frequently withhold several months pay, which workers will also forgo if they quit or assert their rights. Some enterprises respond to a worker's threat to leave the job by imposing severe monetary penalties on co-workers—especially on the friends who initially referred the worker. Enterprise managers also seize workers' ID cards, residence permits, and work permits, making migrants more vulnerable still to arrest, fines, imprisonment, and repatriation if they leave the factory compound.

The deposits paid to employers, the wages withheld by managers, the new-hire fees passed on to workers, the withholding of ID certificates and residence permits, the threatened penalties against co-workers, and the debt accrued by workers to pay both government officials and managers together constitute an effective system of up-front bonds posted by migrant workers at the start of their employment. Chinese workers are acutely aware of the cumulative penalties they face if they quit or are fired for protesting.

New migrants' feverish effort to find jobs in order to avoid expulsion from urban areas, and their submission to employers' terms no matter how unfair, is a common sight in contemporary China.

Professor Anita Chan has identified yet another way in which the *hukou* system suppresses the labor standards of China's manufacturing workers:

> [T]he Chinese *hukou* system and the pass system under apartheid in South Africa generated quite similar outcomes. They produced a large, vulnerable underclass living in constant insecurity, accompanied by daily discrimination, repression, hardship, and denial of their human dignity.

In light of these circumstances, it becomes

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possible to perceive how the Chinese *hukou* system can keep wages down more easily than in Mexico. . . .[I]n Mexico the workers who produce for export are, as in China, largely migrants from the countryside, and the majority similarly are female. But there is a major difference. Almost all of the Chinese female migrant workers are single women in their late teens or early twenties who, because of the household registration system, cannot bring their families with them. Many factories make sure that only single women are recruited by asking to see their officially issued identity certificates, which in keeping with the Chinese state's strict family-planning policy require that the marital and family planning status of each woman is listed. Since the workers are poor single women living in dormitories, management only needs to pay them enough for their individual survival.

In Mexico, the context is quite different. While most of the women workers in the maquiladoras are migrants from poorer regions, many of them have come with their families, since there is no pass system, and quite a number are single mothers. Very often these women workers are the sole breadwinners. Since they live with their families, a part of their waking hours has to be spent on "unproductive" chores (from management's vantage point): in commuting, in household tasks such as cooking, taking care of the old and the young. No matter how ruthless, there is a limit to the amount of overtime that management can squeeze out of these Mexican workers—fewer hours than with the young single women in dormitories in China.

The *hukou* system accounts in part for the fact that factory wages fell by 15 percent to 46 percent when temporary migrant workers—young, single, and bonded—replaced permanent urban residents in factory jobs. It also helps explain why migrants' wages fail to conform with the neoclassical economic assumption that wage growth tracks productivity growth—why, that is, their real wages have fallen in the last decade, while productivity has steadily risen.

Minimum Wages, Maximum Hours

In its 2003 Annual Report, the Congressional-Executive Commission on China concluded that China's factory workers "continue to work hours well in excess of legal limits, and for wages that are frequently not calculated according to law." China's failure to enforce minimum wage and maximum hours standards violates International Labor Organization Conventions and constitutes an unreasonable trade practice. According to Professor Chang Kai of the People's University School of Labor and Human Resources in Beijing, China "has ignored the protection of laborers' rights, especially migrant laborers' rights. We have no clear system that says who must bear responsibility when wages aren't paid, and how those responsible are to be punished."

The wages and hours of China's factory workers are effectively unprotected by legal regulation or by contract. Migrant workers are paid extremely low monthly sums—from 200 to 600 Rmb (approximately $24 to $72)—in return for working as many hours as employers can extract from them.

Nonpayment of wages is pervasive. According to a government survey, three out of four workers are unable to collect their pay as promised. An independent researcher found that "the illegal retention of workers' wages for between one and three months exists in 80 percent of foreign-financed firms" in Dongguan. A majority of workers must resort to begging or intimidating their employers simply to get paid. As a consequence, the wages actually collected by workers are well below the amount negotiated at the start of their employment. This results not from enterprises' financial difficulty but rather from employers' "deliberate malpractice," permitted by the negligible bargaining power of China's bonded workers. Factory workers fear that they will be discharged and lose their deposit "if they pursue their wages."

Hourly wages and unit labor costs are therefore greatly suppressed. Manufacturing wages for female workers range as low as 12 cents to 30 cents per hour. Male workers earn approximately 10 percent or 15 percent more.

The only real limits on wages and hours in China's factories are the physiological and psychological limits of the young women and men who work in that sector. Enterprises frequently push beyond those limits, and workers spon-

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taneously protest by blocking roads or railways. Many threaten or commit suicide. Even these sad protests are met with government repression. Public Security forces in many cities have implemented policies of detaining any worker who threatens to commit suicide as a means of collecting wages.

It is true that the central Chinese government has formally promulgated guidelines for minimum wages and maximum hours. In practice, however, wage-and-hour rules are simply not enforced. To the contrary, local governments act as enforcers for enterprises' all-out suppression of labor costs. As detailed above, local officials and enterprise managers are allies in the unrestrained drive to export at lowest costs; and destitute migrants are in no position to demand that wage-and-hour standards be honored. Reebok's director of labor monitoring throughout Asia states,

> Who enforces Chinese labor law? Nobody. If it were enforced, China would be a much better place for millions of people to work in. But it is ignored more than in any other country I work in.

Summary and Conclusions

This petition has shown that China's unremitting repression of workers' rights takes wages, health, and dignity not only from China's workers. It also displaces and impoverishes workers—and their families and communities—in the United States and throughout the world. All countries, including China and the United States, face strong incentives to compete for mobile capital and jobs by cheapening the labor and debasing the lives of their working citizens. These incentives are created by global rules that protect rights of property and contract but not rights of personhood and labor.

Nearly seventy years ago, the United States rejected rules like these, in our domestic multistate system. Congress concluded that trade across borders "was the means of spreading and perpetuating . . . substandard labor conditions among the workers of the several states." In order to eliminate each state's incentive to perpetuate substandard labor conditions, it was necessary to enforce labor rights at the federal level. All states must be concurrently bound by labor rights, or each state would seek competitive advantage by suppressing those rights.

Fifteen years ago, in section 301(d), Congress elevated the same policy from the interstate to the international level. Congress authorized the USTR and the president to enforce workers' rights among our trading partners, for the sake of their workers and ours.

It is time for the USTR and the president to implement this policy. So long as China is not bound to honor workers' rights, China's rivals will resist complying with those rights. But so long as they resist, China too will complain of competitive disadvantage. Therefore, all countries should be *concurrently* bound by fundamental workers' rights, or each country will seek competitive advantage by suppressing those rights. For the same reason, all countries must be assured that those rights will be enforced *evenhandedly* from country to country.

These goals can be met if all countries are obligated, as a precondition to gaining the rights and benefits of membership in the WTO, to comply with the covenants of the International Labor Organization, the UN agency authorized to promulgate and supervise compliance with internationally recognized workers' rights. It is time that the United States used its extraordinary bargaining power to ensure that no country enjoys the rights and benefits of WTO membership unless it complies with ILO covenants. For this reason, the president should direct the USTR to enter into no new WTO-related trade agreement until such time as all WTO members are required to comply with the core covenants of the ILO. Fundamental workers' rights must be given the same protection that is now given to rights of commerce.

Nearly a century ago, Congress declared that "the labor of a human being is not a commodity or article of commerce." Perversely, global rules today give greater protection to articles of commerce than to the work of human beings. We can and must change these rules. ●

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International Justice, Local Injustice

The International Criminal Court in Northern Uganda

Adam Branch

When the International Criminal Court announced in January 2004 that its landmark first investigation would be into the brutal war in Northern Uganda, the statement was met with widespread and passionate condemnation from within the East African country. For perhaps the first time in the history of international law, however, those opposing the enforcement of humanitarian and human rights law were not self-interested government officials or rebel leaders. Instead, the protests came from the Ugandan human rights community itself, from activists, lawyers, and civil-society organizations working for peace in the North. This apparent paradox is explicable only by situating it in the ICC's current predicament, in the history of the Ugandan war, and in the broader dilemma of merging international and local justice, or reconciling the demands of justice and the demands of peace.

Proposals for an international criminal court have circulated for more than half a century. In the wake of the Nuremburg Trials after the Second World War, jurists began working on plans for a permanent court that would prosecute individuals—as opposed to states, the traditional subjects of international law—for crimes against humanity, crimes against the peace, and genocide. But the cold war ushered in a long period of paralysis for the institutional development of international law, and it was not until the 1990s that the idea was again taken seriously. In response to a powerful international lobbying effort, the Rome Statute constituting the International Criminal Court was signed by 120 countries on July 17, 1998, with only seven votes in opposition, including the United States and, reportedly, China, Iran, Iraq, Israel, Libya, and Sudan. The Statute received its sixtieth state ratification in April of 2002, and thereby entered into force.

However, the Court that has emerged today is far removed from the juristic dream of a court with universal jurisdiction and enforcement powers, the primary organ of a global rule of law. The United States delivered the first blow by asserting that its nationals would not be subject to prosecution by the Court. It subsequently pressed many allied and dependent states to sign bilateral immunity agreements, creating an expanding geography of legal impunity. The Court's legitimacy was further undermined when the United States rejected it as a venue for the trial of those accused of planning the terrorist attacks of September 11, 2001, and their aftermath, whether suspected terrorists or Afghani or Iraqi officials charged with war crimes.

The ICC thus began casting about for a case that could prove its relevance and utility. When Ugandan president Yoweri Museveni approached the special prosecutor, Luis Moreno-Ocampo, to ask him to investigate the Lord's Resistance Army (LRA), a rebel group that has terrorized Northern Uganda since the late 1980s, Moreno-Ocampo accepted. On January 29, the Office of the Prosecutor publicly announced that it had begun a probe into atrocities committed by the LRA.

At first glance, the LRA appears to be a perfect target for the ICC. Rebel movements have operated in Northern Uganda since Museveni took power. In the first few years these rebel groups enjoyed considerable popular support from the local Acholi population, but as fatigue and disillusionment with the war spread through the countryside, support dwindled. The rebels misinterpreted this declining support as sympathy for the government

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and, faced with diminishing resources and recruits, they turned on the very population that had given birth to them. Since the early 1990s the LRA, under the messianic leadership of Joseph Kony, has carried out a series of massacres, lootings, mutilations, and abductions against the Acholi. What began in 1986 as a guerrilla struggle for political inclusion became over the years a predatory, terrorist subjugation of the people in whose name the struggle had begun. The war has led to thousands of civilian deaths, the economic devastation of the North, and the forced movement of more than a million people—the entire rural population—into displaced people's camps, which lack adequate food, water, and medicine. As this "temporary" measure persists year after year, an entire generation of malnourished children is being raised, knowing only the horrors of life in the camps.

What has attracted the most international attention is the LRA policy of forced recruitment. When voluntary enlistment fell in the late 1980s, the LRA started abducting civilians in large numbers to replenish their ranks. This policy fed popular discontent, and soon the rebels' only mode of conscription was abduction. Within a couple of years, they realized that children were more easily molded than adults into obedient, effective killing machines. At present, over 90 percent of rebel ranks are abducted children, some as young as eight, forced to commit atrocities against each other or their families to bind them permanently to the LRA. From the early 1990s, the LRA has been synonymous with a reign of terror against children.

The unambiguously evil acts of Kony and his followers made the LRA high command seem an appropriate first target for the ICC. The LRA has no apologists and no spokespersons defending its atrocities; Kony himself is subject to universal moral condemnation. The maimings, massacres, and mass abductions carried out by the LRA fit neatly into the categories of "grave violations of human rights," "war crimes," and "crimes against humanity" that form the vocabulary of international legal condemnation. No one questions that Kony is responsible for these crimes—but many question whether or not ICC prosecution is the appropriate response. Can it bring justice and, more important, peace to this troubled region?

The major players in the Western human rights community quickly responded, but called for the investigation to comprehend atrocities by the LRA *and* by the Ugandan government. Amnesty International and Human Rights Watch, both of whom have published reports compiling the atrocities committed in the course of the war in Uganda, issued almost identical statements soon after the ICC announcement. AI argued that "any court investigation of war crimes and crimes against humanity in Northern Uganda must be part of a comprehensive plan to end impunity for all such crimes, regardless of which side committed them and of the level of the perpetrator." Similarly, HRW called the "chance for [an] impartial ICC investigation into serious crimes a welcome step," asserting also that "the ICC prosecutor cannot ignore the crimes that Ugandan government troops allegedly have committed."

Although LRA abuses have received the most international attention, recently in response to calls from the courageous groups working on the ground in Northern Uganda, international human rights organizations have started to focus on war crimes perpetrated by the Ugandan army, the Uganda People's Defense Forces (UPDF). Indeed, the government-led counterinsurgency has been vicious: the displaced people's camps themselves were created through a government campaign of displacement, including bombing and burning down entire villages. Those in the camps cannot leave because the UPDF kills any civilian found outside them. The government does not protect the camps, so those in the camps are easy targets for the predation of the LRA—and often of underpaid, undisciplined UPDF soldiers. The failure to provide food, medicine, decent housing, and protection, in direct contravention of the Geneva Conventions, has led many Acholi to see the camps not as "protected villages" (the government's euphemism), but as a calculated effort to destroy the Acholi as an ethnic group—as genocide.

Amnesty and HRW represented the ICC prosecution as an opportunity to bring to light

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and punish both the LRA and the UPDF for war crimes. But all the signs indicate that this will not happen. UPDF abuses in the North have been public knowledge for years, with no adverse effect for the Ugandan government. In fact, essential U.S. support for the Ugandan military has increased to include, since September 11, 2001, funds earmarked to eliminate LRA "terrorists." Moreover, Museveni would not have initiated a prosecution he did not think he could control; the government can cease cooperating with the ICC at any time if it appears that its own military may become a subject of the inquiry. The prosecutor has the discretion to decide to include crimes by the UPDF, but it does not appear that she will be pressured to do so by the international community—and certainly not by Museveni. The prosecutor may very well see the guarantee of impunity to the Ugandan government as the necessary price to pay for its cooperation and to ensure a successful first case for the ICC. Similarly, the institutional interest of organizations such as Amnesty and HRW in an ICC trial has led them to welcome what will inevitably be the prosecution of only one side in this war—the top LRA commanders.

Ugandan human rights and peace activists see such a one-sided judicial process as a catastrophe. The ICC statement of January 29 explains, "In a bid to encourage members of the LRA to return to normal life, the Ugandan authorities have enacted an amnesty law. President Museveni has indicated to the Prosecutor his intention to amend this amnesty so as to exclude the leadership of the LRA, ensuring that those bearing the greatest responsibility for the crimes against humanity committed in Northern Uganda are brought to justice." In this putative upholding of the ideals of justice, the ICC conveniently ignores the fact that the Amnesty Law of 2000 was the product of a dramatic effort by activists to salvage their last, best chance for peace. At the insistence of Northerners—that is, the victims of the LRA—the amnesty was extended to all levels of the rebel command, even Kony himself. It is generally believed that the conflict will continue as long as the rebel high command wishes it to continue. So Museveni's proposed amendment to the Amnesty Law will only lead to a prolongation, and probable intensification, of the conflict as the LRA command concludes that its only nonviolent exit strategy has been closed off.

As Zachary Lomo, director of the Ugandan Refugee Law Project, explained, "The only way of stopping Kony is stopping violence against Kony, and giving total support to the Amnesty." Support for the blanket amnesty is overwhelming among the displaced people themselves, as I discovered while doing fieldwork in the war zone. For the people of the North, the guarantee of amnesty to Kony and other top leaders was an insignificant price to pay for getting their children back. The government's own Amnesty Commission spokesman, Moses Saku, put it bluntly: any amendment of the Amnesty Law "is going to make it very difficult for the LRA to stop doing what they are doing."

In spite of this reality, the ICC statement goes on to say that, once the Amnesty Law is amended, "A key issue will be locating and arresting the LRA leadership. This will require the active cooperation of states and international institutions in supporting the efforts of the Ugandan authorities." The issuance and execution of arrest warrants, when translated into the local political context, will be a disaster. The vice president of the Acholi Religious Leaders Peace Initiative (ARLPI), retired Bishop McLeod Ochola, told a UN reporter, "This kind of approach is going to destroy all efforts for peace. People want this war to stop. If we follow the ICC in branding the LRA criminals, it won't stop." Father Carlos Rodriguez, also of ARLPI, made his opposition to the ICC unambiguous in a public statement: "The issuing of . . . international arrest warrants would practically close once and for all the path to peaceful negotiation as a means to end this long war, crushing whatever little progress has been made during these years . . . . Obviously, nobody can convince the leaders of a rebel movement to come to the negotiating table and at the same time tell them that they will appear in courts to be prosecuted."

The execution of arrest warrants would require a dramatic intensification of the government's counterinsurgency in order to capture the LRA leaders. The powerful minor-

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ity within the government that opposes dialogue with the rebels would find their case for a "military solution" greatly strengthened by support from the "international community." Indeed, the rhetorical use of the ICC investigation to justify intensified military operations has already begun: simultaneous with the announcement of the appointment of American lawyer Christine Chung as the investigation's prosecutor, the Ugandan army announced that it would reenter Sudan to hunt down the LRA leadership, in a replay of its 2002 Operation Iron Fist. That time, in response to the UPDF incursion into Sudan, the LRA simply reentered Uganda and stepped up its anti-civilian violence after what had been a period of relative peace. It is feared that this new UPDF offensive will also lead to another pointless incursion into Sudan and, in response, a resurgence of atrocities against the civilian population of Acholi by the LRA.

International arrest warrants would be used as a carte blanche to impose the "military solution"—but the "military solution" is simply not a solution. For a number of reasons—lack of political will, corruption within the army, resilience and tenacity of the LRA child soldiers—the UPDF has not been able to defeat the LRA for eighteen years. Instead, violence by the UPDF is unfailingly answered with increased violence by the LRA against the unprotected civilian population. Most important, even if the "military solution" were "successful," its main effect would be the extermination of thousands of traumatized children abducted into the LRA, all in the name of capturing a few of their commanders in order to satisfy the demands of the International Criminal Court.

Why Museveni—himself a signatory to a bilateral immunity agreement with the United States and a consistent critic of human rights activists—is suddenly inviting international prosecution is obvious. Museveni's request is an attempt to claim international legitimacy for a military counterinsurgency that is strongly opposed by civilians and human rights activists living in the war-ravaged regions. The quest for international "justice" by well-intentioned outsiders—by a human rights community that is based in the distant metropolises of New York, London, the Hague, and Geneva—will have only one effect in this case: the prolongation of suffering for more than a million people in Uganda.

THE BELIEF that the "justice" provided by international law is absolute, taking precedence over local resolutions to long-standing, complex political crises, is the quintessence of international law fundamentalism. International judicial processes are based on the idea that justice is best realized by punishing the guilty. This internationally supported punishment may, in some cases, be part of a locally based process; in these cases, international prosecution can work in solidarity with local democratic demands. The ongoing international effort to prosecute Hissene Habre, the ex-president of Chad, was initiated and is being driven forward by a broad coalition of Chadian human rights nongovernmental organizations and victims' groups; if this domestic coalition can continue to build broad popular support, the Habre case may provide a good example of international legal solidarity with the local pursuit of justice.

But when international prosecution is not in solidarity with local demands, then the idea that any part of humanity is entitled to punish those guilty of "crimes against humanity" necessarily entails a rejection of others' autonomy and self-determination. The decision, on the one hand, to seek justice through punishment or, on the other, to forgo punishment in favor of justice through reconciliation, is a decision that must be made by the concrete community that is the victim of the crimes and that will have to live with the consequences of the decision. "Humanity" is too thin a community upon which to base a universal right to punish. Even when one feels injured by horrible crimes committed far away, so long as one does not have to live with the consequences of punishment, one's intervention must be limited to solidarity. When legal prosecution in the name of humanity is in opposition to a community's demand for justice through peace and reconciliation, the prosecution takes on a peculiar and unattractive character: international actors come to the "rescue" of "helpless victims," often aligning themselves with undemocratic lo-

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cal political forces that manipulate these foreign philanthropists for their own selfish purposes. When the enforcement of international law is opposed by the "helpless victims" because the proposed intervention only makes things worse for them, insistence upon prosecution amounts, at best, to paternalism and, at worst, to a new imperialism. The same sort of institutional arrogance underlies the idea that an American prosecutor can be the exclusive agent for bringing "justice" to people she has never met. International law must be guided by those it is claiming to serve, and by their vision of what is just or prudent. If it is not, the ICC will find its already tenuous legitimacy eviscerated even further by its own misfeasance and ineptitude in carrying out its statutory responsibilities. If local injustice is the price to be paid for the kind of international justice that results from ICC prosecution, then we must abandon the Court and imagine new modes of building a truly global rule of law.

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Soviet Kitsch

Anson Rabinbach

VLADIMIR PUTIN's Russia is awash in Soviet kitsch. In St. Petersburg's popular "Idiot" café a bust of Lenin sports a racy polka-dot tie. Trendy eateries with catchy names such as "Propaganda," "CCCP," "Soviet Kitsch," and (no kidding) "Lenin's Mating Call" are doing a lively business. Flea market hawkers sell soviet military paraphernalia, watches, and caps adorned with Lenin pins; bookstores feature constructivist propaganda and Stalin-era slogans warning against excessive alcohol consumption; T-shirt vendors offer up Lenin in a field of marijuana, Stalin as the "great helmsman," and "McLenin" under golden arches. "Wartime" Soviet and Nazi Leicas do not mimic rare originals, but are entirely new creations, drawn from the fantasy of highly skilled Russian instrument makers. These wares should not be misread as evidence of nostalgia for the bad old days.

Mass produced for foreign visitors, today's designer dictatorship is just for fun. But it is also a cultural compromise between the lack of any serious effort to confront the dear departed Soviet regime and the current glorification and idealization of the Soviet imperium that contrasts sharply with what Putin contemptuously called Russia's post-communist "backwater." As the proverbial "woman on the street" remarked, Lenin is still the grandfather of the country and Stalin the "father." Soviet kitsch is benign, but it is much more than just a tourist draw. It creates a symbolic bridge to the old regime without drawing unnecessary attention to more disturbing elements of continuity.

Stalinist culture was, of course, already kitsch, and the architecture and iconography of the 1950s is still very much in evidence in Moscow. Perhaps one reason that there appears to be somewhat less interest in the new consumer kitsch in the capital than in St. Petersburg is that in Moscow the real thing is much more visible, and St. Petersburg was always the center of the artistic underground. To be sure, in the city that once bore his name (it was renamed St. Petersburg in 1991), a larger-than-life Lenin still exhorts passersby in front of the Finland Station, and the monumental likeness stands before the former Party building on Moscow Avenue and points emphatically ("to the liquor store across the street," goes the lo-

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cal joke). By contrast, Moscow's skyline is dominated by seven shining examples of Stalinist architectural gigantism, and practically every metro station is consecrated to the symbolic figures of the old ideology, whether construction, electrical, health workers, or, in Red Square's Revolutionary Station, a remarkable statuary of revolutionary types—workers, soldiers, students, athletes, and red guards.

Kitsch, as Milan Kundera wrote in *The Unbearable Lightness of Being*, is intimately linked to totalitarianism: it functions by offering a sanitized view of the world in which "all answers are given in advance and preclude any questions." Stalinist kitsch banishes irony by taking seriously its pantomime of aesthetic representation. For that reason, the avant-garde response to totalitarian art was to create its own subversive simulacra of political kitsch. In the 1970s, during the later Brezhnev years, artists critical of the regime, such as the brilliant Alex Melamid and Vitaly Komar, founders of Sotz-Art (Soviet pop-art), deployed the arsenal of Stalinist signifiers, slogans, and iconography in the approved socialist realist style with a devilish, ironic sense of humor (for example, the famous pose at Yalta, substituting the cinematic alien ET for Stalin flanked by Churchill and Roosevelt). As Svetlana Boym writes in her remarkable study of nostalgia and post-Soviet memory, *The Future of Nostalgia*, "the problem is that this kind of 'deideologized' attitude has become a new style, almost a new official discourse. No longer subversive it has turned into an aesthetic norm, a dominant fashion; and how can one go against the fashion and risk being considered humorless—quite an offense in the Russian context."

Today, Stalin's image is hardly to be seen, but that is a product of the Khrushchev era, not of Yeltsin's or Putin's. Allusions to his memory, however, are very much in evidence. For the May 9 celebrations of "Victory Day," the streets of St. Petersburg were decked out with banners commemorating not only the defeat of the Third Reich but the public political symbols of the Stalin era. During a rally in the great square of the Winter Palace, for example, an enormous image of a hammer and sickle party badge hung on the very spot where Stalin's visage once graced the first celebration of the defeat of Nazi Germany in 1945. Generals and lesser ranks of bemedaled veterans were cheered as they proudly marched down the Nevsky Prospekt. Grandmothers with communist banners unfurled and photos of Stalin held aloft followed the traditional military parade.

In neither Moscow nor St. Petersburg is there a museum devoted solely to the Gulag or Soviet crimes. There is, however, a fine new political history museum in St. Petersburg that devotes significant attention to the cult of Stalin and the repressive character of his and Lenin's rule (installed in 2001). But Stalin-era museums dedicated to Leningrad's beloved mayor Sergei Kirov (murdered in 1934) and to the heroic nine-hundred-day siege of the city receive state support and are largely unchanged from the 1950s and 1960s. In Moscow, the statue of Felix Dzerzhinsky (creator of the pre-KGB Cheka) has been removed from its pedestal on the square in front of the feared Ljubjanka prison. But the building is still in use by the new incarnation of the KGB (called FSB). Perhaps most striking, one of the largest and most costly monuments to the Great Patriotic War, a massive museum and memorial complex in Victory Park, on Moscow's Kutuzovsky Avenue, was completed in 1995, two years after the collapse of the Soviet Union. Not only does the museum present the war in uncomplicated and heroic vignettes, but it contains dioramas depicting great battles, and a massive "Hall of Glory" in the center of the monument features a heroic (pre-political) Schwarzenegger-like Soviet soldier. The problem with such images, not unlike the monument to the victorious General Zhukov in front of the Kremlin (also erected in 1995) is that post-communist representations of history do not significantly depart from their predecessors. More important, whereas in the West many monuments have dramatically changed their tenor, no longer celebrating war heroes and generals on horseback, Russia's monuments hearken back to Falconet's famous "Bronze Horseman," placed on the banks of the Neva in 1782.

Unfortunately, other Soviet-era traditions persist as well. Rude, inconsiderate, and intem-

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perate behavior toward visitors has long been a hallmark of Russian tourism. Despite the polite and almost cheery service at the sparkling Starbucks-style cafés in the city center, service is erratic, and a slammed door or vulgar epithet is not uncommon. More threateningly, civil liberties do not appear to be firmly anchored, and police are everywhere in evidence, especially when dignitaries are in town. Their presence is hardly reassuring, despite the fact that serious terrorist attacks are a reality (on May 9 the Putin-supported Chechen prime minister, Akhmad Kadyrov, was blown up at the local festivities in Grozny). For the average Russian, police are an irritant, harassing drivers for bribes, arresting drunks on the Arbat (Kalashnikovs at the ready), and beating up suspected con men in front of the Moscow train station in full view of arriving tourists. Irate letters to the *Moscow News* complain that police are not very friendly to visitors, and in several cases, openly demanded bribes from Westerners just to leave them alone. The government has recently issued a directive to passport control agents to try to smile and appear friendlier to visitors. Even at Lenin's tomb, which is still treated with great reverence and extreme security, a four-hundred-ruble bribe will allow a camera (absolutely forbidden) to go through the first cordon of cops and metal detectors (though not through the next checkpoint a few feet away). Lenin himself, still well-preserved in polyurethane, is beatifically unperturbed by such obvious transgressions against socialist morality.

President Putin's March election campaign, which limited access to state-run media by opposition candidates, and his annual address to the Parliament on May 26 underscored the paradoxes of his rule. Putin promised continued economic growth, a reduction of poverty (20 percent of the population still lives below the poverty line), and respect for the rule of law in "a stable democracy and a developed civil society." He frequently repeated his commitment to a liberal market economy and dismissed those who regard his consolidation of power as evidence of growing authoritarianism. Putin also warned that western-based nongovernmental organizations critical of his repressive policies—human rights organizations cite his closing of critical television stations, forcing opposition parties out of the State Duma, and a recent bill to ban most public demonstrations—were serving the interests of "dubious group and commercial interests." Putin's comments were pointedly directed at organizations protesting the arrest of oil baron Mikhail Khodorkovsky, who is currently on trial for tax evasion and tax fraud. The case targets one of Russia's richest individuals (who happens to be Jewish) and the founder of the once powerful Yukos oil conglomerate, whose stocks plummeted on news of the company's inability to pay a huge $3.4 billion tax bill levied by the courts. The trial sparked fears in the world financial community that Putin is selectively targeting oligarchs who profited from the post-Soviet "wild" capitalism of the 1990s. Two other wealthy media moguls, Boris Berezovsky and Vladimir Gusinsky, whose television stations criticized Putin's slide towards authoritarianism, have since fled the country to avoid arrest. These prominent cases underscore Putin's assault on the policies of the Yeltsin era, which he claims were responsible for the abuse of power by the elite (meaning the oligarchs) and Russian dependence on what he called a club of overseas creditors (the West). As one critic observed, Putin "selects his tools of governance from the same shed as his Soviet predecessors once did. And his favorite tools are coercion and campaigns against internal enemies who are blamed for the transgressions of the regime."

Close scrutiny of Putin's speech reveals a distinctly nationalist tone; he invoked "country" and "Russia" more than thirty times. Putin also rebuked Western critics: "far from everyone in the world wants to see an independent, strong, and confident Russia," he said, noting that: "the strengthening of our statehood has intentionally been interpreted as authoritarianism." Putin's publicists, such as Stanislav Belkovsky, president of the National Strategy Institute, call him a "revolutionary" whose commitment to economic self-sufficiency, an end to statist policies, and a mandate to "cast off the weight of Russian history" makes him Russia's first "radical-liberal." Whatever the sources of Putin's support, "de-oligarchization" as many

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call it, is a popular move in a country whose oil-driven economy grew by an impressive 7.3 percent last year, compared to 4.7 percent in 2002. Although the average Russian still earns about $230 each month, Russian executives are the highest paid in Europe. *Forbes* magazine added eleven billionaires to the list of wealthiest Russians since Putin's reelection and not surprisingly, 85 percent of workers surveyed said they are not paid enough. Many, including those who in the past supported the Communist Party, regard Putin as a tough-minded tsar who routed the evil capitalist oligarchs of the Yeltsin years, just as Ivan the Terrible made short work of the evil boyars. Putin's overwhelming victory at the polls in December's Duma election and his 72 percent margin on March 15—supported by media saturation by state-owned television—make him Russia's most popular and strongest leader since, well, Joseph Stalin. ●

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The Stakes in the French Secularism Debate

Michel Wieviorka

THE RECENT FRENCH debate about *laïcité* (secularism or secularity), which was expressed revealingly in the passage of a law that bans the wearing of conspicuous religious symbols in schools, surprises many foreign observers. In fact, the word *laïcité* does not translate well into other languages. It refers to a very French idea: a republic can ensure the separation of public and private only by refraining from recognizing distinctive cultural or religious identities within the public sphere. Islam—and in particular, the presence, within public schools, of young girls wearing "Islamic scarves" (the *foulards*)—has become a source of anxiety since the late 1980s. France's *laïcité* appears threatened by them. On several occasions, "head scarf affairs" and an upsurge in Islamic radicalism have rattled the populace. As a result, President Jacques Chirac invited Bernard Stasi, a political figure known for his moderate views, to chair a special commission. On the basis of the Stasi Commission's report the head of state called for passage of the new Law of March 15, 2004, which will go into effect in the new school year.

One hundred years ago the main issue in French politics was how to separate the Catholic church from the French state. Today the challenge is different: how to invent ways of integrating a new religion, Islam, into public life? If the question appears so sensitive, it is because it cannot be dissociated from a number of other problems: the crisis in public schools, which have proved incapable of nurturing the French Republic's promises of Liberty, Equality, Fraternity; unemployment and massive job insecurity; the creation of immigrant ghettos around French cities; the upsurge of all kinds of communitarianism; and the rise of racism and the revival of anti-Semitism.

Three Dimensions

The answer to the challenge of "head scarves" would have been simple, had it been unidimensional. But it entails three distinct social-political dimensions.

The first is the most obvious one. Activists within France's minorities seem to pose a challenge to the republic's universalist values—to law and to reason. The challenge becomes visible when head scarves proliferate throughout classrooms. Some argue that the scarves symbolize women's alienation and indicate that women are victims of domination. Others denounce a more generalized religious obscurantism that they claim accompanies the

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scarves. This includes the rejection of some secular forms of instruction under the pretext that they are not in keeping with the Quran but also the refusal by some Muslim women of modern medical treatment when it is offered by a male hospital staff. Members of the Stasi Commission report that their position on the "head scarf" hardened by the discovery, during its hearings, of how widespread these problems are.

A second dimension of the *laïcité* argument is the problem of prejudice. Some people detect lingering French racism in the new law, and see it as a remnant of (or even sequel to) colonialism. This law, it is said, represents Islamophobia. It has been tailor-made against Islam and is freighted with an age-old fear of Arabs and Muslims, all while it claims to reassert republican values. It is discrimination in the guise of universalism.

Finally, the third dimension is the feelings of those who are affected immediately by it—young, veiled girls. Until the tail-end of the hearings, almost no Muslim girls testified before the Stasi Commission. Those who did said they veil themselves out of deep conviction and personal choice. They demanded that their freedom of conscience be respected and rejected claims that they are manipulated by or follow the dictates of fundamentalist fathers who want them to be covered.

A special aspect of this debate is its international implications. There have been strong but varying responses to the French law within the Arab and Muslim worlds. A minority vocally endorses the idea that France is in fact sending a universal message that should be applauded by everyone who supports the emancipation of women and the idea of modernization. Others insist on the neocolonial, Islamophobic, or racist character of the law and denounce it on the basis of positions that stem, in some cases, from Islamic radicalism. It was even suggested, after the March 11, 2004, terrorist attack in Madrid, that similar violence might occur in France to protest the March 15 law. France opposed America's Iraq policy and could not be accused in its foreign policy of hostile intent toward the Arab or Muslim worlds, but the ban on head scarves could nonetheless be viewed as an act of insensitivity and disrespect. Some dissidents see this law not as a message of emancipation but a negation of the subjectivity of those women who must now remove their scarves. One finds this interpretation expressed primarily among middle-class and educated strata in the Arab and Muslim worlds.

In short, the French debate has become "global." It has developed both locally and well beyond France, and has considerable diplomatic and geopolitical implications. Moreover, the debate is far from over.

Politicization

The Stasi Commission and the new legislation brought into the French Parliament, and the country's political system as a whole, highly sensitive issues that had been kept out of national political institutions (at least publicly). A new climate has been created. Feminists have become reinvigorated and feel newly challenged. A French literary panel recently awarded its Political Book Prize to Fadela Amara, main organizer of "Neither Whores nor Doormats," a movement that demands women's rights, especially for North African women living in France. The idea of affirmative action, which had been rejected by most politicians and intellectuals throughout the 1990s, is now making some new inroads. They have been forced to reconsider whether or not the underprivileged need help to overcome structural inequalities.

Although political debate has been reinvigorated—one might say reenchanted—by the issue of secularism, this has not translated into a reinvention of the opposition between left and right. The political talk accompanying the Stasi Commission's deliberations pointed more to a political consensus in the mainstream. The left and the right voted together for the March 15 legislation. Here we have a political paradox because both the left and the right were in difficult straits. The left was still suffering from its collapse in the presidential elections of 2002. The right has been shaken both by the conviction for corruption of its former prime minister, Alain Juppé, and the difficulties it has encountered in its efforts to consolidate as one big party, the UMP (*Union pour un Mouvement Populaire*), rather than as an alliance of right-of-center parties. The left did

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very well in the spring 2004 regional elections and now hopes to reemerge as a credible national alternative by the next presidential and legislative elections. But its growing strength today reflects mainly the economic and social failing of the right and owes nothing to its own positions on *laïcité* or Islam.

Waiting for September

Chirac's new education minister, François Fillon, published an administrative memorandum in April to explain how the "head scarf law" will be applied. Discreet symbols of religious affiliation will be tolerated and only "conspicuous" symbols will be banned. The memorandum specifies that a "dialogue" must begin with any student who does not respect the law, before further action is taken.

In September, when the school term begins, we will learn the practical lessons of the new situation. Perhaps the law will calm things down. It gives teachers, who often become anxious if a head scarf appears, some clear guidelines about how to respond. But it will also remove Islam's presence from the classroom. One consequence may be a boom in private Muslim schools, where girls will be able to wear the head scarf but will also be locked into a tight logic of communitarianism. Worse than that, their parents may sequester them, try to take them out of school altogether, or give them away at a very young age in arranged marriages (perhaps with a partner far from France). The March 2004 law was in fact supported by a majority of the French, but it simply does not settle the general crisis of French schools, which are helping to reproduce and reinforce social inequalities and racial discrimination. And finally, this law does not settle the question of Islam's institutionalization in France. It leaves many Muslims very bitter. Many problems lie ahead. ●

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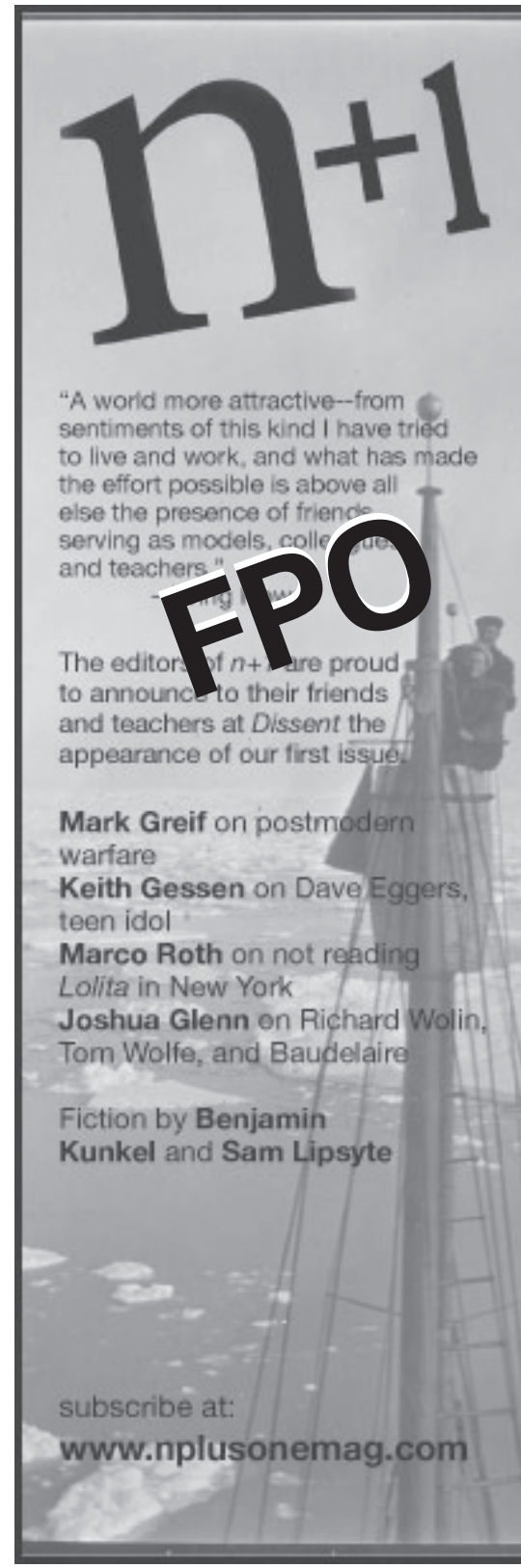
Translated from the French. An earlier version of this appeared in *La Vanguardia*, February 15, 2004.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Tewfik Allal

A Muslim Manifesto from France

"We are of Muslim culture. We oppose misogyny, homophobia, anti-Semitism, and the political use of Islam. We reassert a living secularism."

Ed. Note: Dissent *does not usually publish manifestos, but when we learned of the remarkable one below, we decided to make an exception. It was written by Tewfik Allal, an unemployed French proofreader and union activist who was born in Morocco of Algerian parents. Allal attended one of the demonstrations last winter protesting the recent law banning the Muslim head scarf in French schools and was shocked at the political slogans being chanted by Muslim fundamentalists and their sympathizers. He went home and wrote this Manifesto in collaboration with his wife, Brigitte Bardet, a teacher and feminist activist. This Manifesto seems to have inaugurated a small movement, with several hundred signatories and a list of "*Les Amis du Manifeste*" (Friends of the Manifesto) composed of non-Muslim intellectuals expressing their solidarity. Readers can find the original French version of the Manifesto and the list of signatories at www.manifeste.org*

We are women and men of Muslim culture. Some of us are believers, others are agnostics or atheists. We all condemn firmly the declarations and acts of misogyny, homophobia, and anti-Semitism that we have heard and witnessed for a while now here in France and that are carried out in the name of Islam. These three characteristics typify the political Islamism that has been forceful for so long in several of our countries of origin. We fought against them there, and we are committed to fighting against them again—here.

Sexual Equality: A Prerequisite for Democracy

We are firmly committed to equal rights for both sexes. We fight the oppression of women who are subjected to Personal Status Laws, like those in Algeria (recent progress in Morocco highlights how far Algeria lags behind), and sometimes even in France via bilateral agreements.* We believe that democracy cannot exist without these equal rights. Accordingly, we unambiguously offer our support for the "*20 ans, barakat*!" (20 years is enough!) campaign of the Algerian women's associations, demanding the definitive abolition of the two-decades-old family code.

It is also for this reason that we oppose wearing the Islamic head scarf, even if among us there are differing opinions about the law banning it from schools in France. In various countries, we have seen violence or even death inflicted on female friends or family members because they refused to wear the scarf. Even if the current enthusiasm for the head scarf [among some Muslims] in France was stimulated by discrimination suffered by immigrant children, this cannot be considered the real cause of the desire to wear it; nor can memories of a North African lifestyle explain it. Behind this so-called "choice" demanded by a certain number of girls is the promotion of a political Islamic society based on a militant ideology which aims to promote actively values to which we do not subscribe.

Stopping Homophobia

For Islamic fundamentalists (as for all machos

*France has bilateral agreements with Algeria, which allow the application of Algeria's "Family Code" to emigrants in France. It particularly affects issues of divorce and discriminates against women. —Eds.

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and fundamentalists), "being a man" means having power over women, including sexual power. In their eyes, any man who favors equality of the sexes is potentially subhuman, or "queer." This way of thinking has proliferated since the rise of political Islamism. Its ferocity is equaled only by its hypocrisy. One of the organizers of the demonstration on Saturday, January 17, 2004, in favor of the head scarf declared that "It is scandalous that those who claim to be shocked by the head scarf are not shocked by homosexuality." Undoubtedly he thinks that a virtuous society hides women behind head scarves or puts homosexuals behind bars, something we have already seen happen in Egypt.

We shudder at what the triumph of these attitudes implies for "shameless" persons in society—like women who fail to wear the head scarf or homosexuals or non-believers.

In contrast, we believe that recognition of the existence of homosexuality and the freedom for homosexuals to live their own lives as they wish represent undeniable progress. As long as an individual—heterosexual or homosexual—does not break the laws protecting minors, each person's sexual choices are his or her own business and do not concern the state in any way.

Fighting Anti-Semitism

Finally, we condemn firmly the anti-Semitic statements made recently in speeches in the name of Islam. Just like "shameless" women and homosexuals, Jews have become the target: "They have everything and we have nothing," was something that we heard in the demonstration on January 17. We see the use of the Israel-Palestine conflict by fundamentalist movements as a means of promoting the most disturbing forms of anti-Semitism.

Despite our opposition to the current policies of the Israeli government, we refuse to feed primitive images of the "Jew." A real, historical conflict between two peoples should not be exploited. We recognize Israel's right to exist, a right recognized by the PLO congress in Algiers in 1988 and the Arab League summit meeting in Beirut in 2002. At the same time, we are committed to the Palestinian people and in support of their right to found a state and to be liberated from occupation.

Living Secularism

Islam has not received sufficient recognition in France. There is a lack of places to pray. There are not enough chaplaincies nor enough cemeteries. We are aware that young French people, the sons and daughters of Muslim immigrants, are still held back socially and suffer discrimination. All monitoring bodies recognize this. Consequently, "French-style" secularism has lost a great deal of value in the eyes of these young people. Two possibilities lie before them. They can rediscover the strength of a real, living secularism; that is, political action on behalf of their rights and to demand the social gains fought for by their fathers and mothers—who belonged to social classes, cultures, peoples, and nations before they belonged to Islam. Or they can see themselves in an imaginary, virtual "*umma*" [Islamic community — Eds.] that no longer corresponds to reality, and then masquerade in republican or *tiers-mondistes* (third-worldist) rags. This only ends up securing unequal, repressive, and intolerant societies. This latter path cannot be ours. ●

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The Need for a New Jewish Politics

Shalom Lappin

THE ROLE OF Jews as a people is becoming an issue again in ways that were thought to be consigned to history. Throughout the second half of the twentieth century two major issues appeared to have been settled. The revulsion generated by the Holocaust rendered anti-Semitism untenable in mainstream political culture in most countries. The creation of Israel secured Jewish political independence, and its legitimacy was not open to serious challenge in the West. The success of liberal democracy, the end of communism, and the signing of the Oslo Accords seemed to secure these assumptions.

In the past several years, events—especially those surrounding the al-Aqsa Intifada, the terrorist attacks of September 11, 2001, and the American interventions in Afghanistan and Iraq—have combined to call these assumptions into question. Although there is as yet no basis for talk about a new "Jewish Problem," it is possible to identify a number of unsettling Jewish Questions on the horizon.

Three main issues have come into view since September 2000. First, there is a rapid increase in virulent anti-Semitism among radical Islamic political groups. This is aggravated by the Intifada, but its roots predate it by at least a decade, if not longer. Anti-Jewish sentiment and delegitimization of Israel have now seeped into mainstream political discourse in Western Europe. Second, the violence of the Intifada has pushed Israel into political paralysis and economic decline. The Sharon government has singularly failed to provide minimally rational leadership throughout one of the most severe crises in the country's history. Finally, the upheaval following September 11, 2001, and President Bush's extreme responses to the attacks on the United States have polarized American society in ways that pose serious difficulties for the American Jewish community.

Europe and Radical Islam

Radical Islamic movements drive the political agenda across large sections of the Muslim world. Many have internalized a toxic mix of elements drawn from Medieval European anti-Semitic iconography and neo-Nazi conspiracy theory. Jews are placed at the center of an international plot to control world financial institutions and governments. The fabrications of *The Protocols of the Elders of Zion* are combined with a view of Jews as the prime manipulators of a malicious American empire bent on world domination. This mythology now enjoys religious sanction. Although the Israeli-Palestinian conflict provides the catalyst for these attitudes, the problem extends far beyond overheated responses to the Middle East. The current wave of anti-Jewish propaganda from radical Islamic sources is markedly different from most previous anti-Zionist campaigns in the Arab world and in the West. It doesn't treat the Israeli-Arab dispute as a political or historical problem, but as a front in a cosmic battle between religious and civilizational forces.

For the most part, moderates within the Islamic and Arab world have not publicly resisted the anti-Semitism of the radicals but collaborated with it. Mainstream Arab media belch out anti-Jewish propaganda on talk shows and in "historical" documentaries, such as the popular *A Horseless Rider*, a series on Egyptian television based upon *The Protocols of the Elders of Zion*. When Mahathir Mohamad, Malaysia's modernizing then prime minister, spoke of "Jews controlling the world by proxy" in his address to the Organization of the Islamic Conference in October 2003, his speech received a standing ovation from the delegates,

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and his remarks were defended by the governments of most Arab and Islamic countries.

Europe provides the nexus at which the anti-Jewish obsessions of radical Islamists and traditional European anti-Semitism merge into "progressive" political views that seamlessly blend reasonable concern for the Palestinians as a dispossessed people with rejection of Jews as a legitimate collectivity. Criticism of Israel's lamentable policies in the occupied territories quickly escalates into the rabid demonization of the country as the focus of an international Zionist-American campaign for regional and global hegemony. In recent years this view has migrated from the far left and far right peripheries into the mainstream. It now finds ready acceptance in large swaths of what passes for the left in Europe. It is used to deny the significance of a rising tide of bigotry and violence directed at local Jewish communities. European governments and the administration of the European Union tend to play down these patterns or simply deny their existence.

There is a widely held view in Europe that if and when a solution to the Israeli-Palestinian conflict is achieved, the current wave of anti-Semitism in Europe and (even in the Islamic world) will subside. Although it is reasonable to assume that an improvement in the Middle East will reduce overt hostility to Jews in Europe, it is a mistake to think that the pattern of recent years will disappear. Radical Islamic organizations have actively promoted an anti-Jewish agenda on European university campuses and among Muslim immigrants for more than a decade. A significant portion of the European left serves as willing impresarios for this campaign, insisting that it is simply a species of anti-Zionism. The speed with which the current attitudes have emerged publicly within mainstream opinion since 2000 indicates that they have been incubating for some time.

These attitudes take shape against a backdrop of wrenching global changes and political turmoil. The coalition of Islamic militants and (parts of) the radical left that are agents of the new anti-Semitism are also active constituencies within the European anti-globalization movement, as well as loud voices within the European movement against the war in Iraq. The issues that these movements address are genuine enough, but the programs they promote are frequently bathed in a reactionary populism that has become a new "socialism of fools," as August Bebel, the nineteenth-century social democrat, described anti-Semitism.

Demographic trends are likely to reinforce the current patterns. As Europe's population ages, it needs increasing numbers of immigrant workers to sustain its economic viability. A large proportion of them come from Muslim lands. In contrast to North America, European countries have had considerable difficulty in absorbing immigrants. The widespread racism and exclusion encountered by immigrants extends to their second and third generations. Consequently, there are substantial groups of embittered Muslim youth who have not been integrated into their host societies. The problem is particularly acute in France, with a North African population of five million, but it exists throughout the European Union. These communities provide fertile recruiting ground for Islamic radicals, for whom anti-Semitism has become an integral part of their agenda.

Given the increasing sympathy for these sentiments among both Muslim immigrants and their European host societies, and the convenient use of anti-Semitism as a distraction from local racism, it is reasonable to expect Europe to become a relatively hostile environment for organized Jewish life. Large-scale violence is not a likely prospect, given the powerful constraints against disorder and the entrenched commitment to civil society that characterize most European countries. However, if current trends persist, and there are good reasons to think that they will, Europe will not be a particularly comfortable place for vibrant, nonapologetic, and self-assertive Jewish communities.

Israel and the Occupation

When the Oslo Accords were signed in 1993, Israel appeared to have achieved the regional acceptance that it sought since its creation. It seemed that peace with the Palestinians and the normalization of Israeli society were within reach. The failure of the Camp David and Taba negotiations, together with the intense violence of the Palestinian uprising, shattered these

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notions and traumatized Israelis. Although it appeared to them that the Palestinian leadership had wanted a pragmatic agreement to end the occupation, most Israelis now doubt that the majority of Palestinians are prepared to accept Israel's legitimacy.

Sharon and the right have skilfully exploited the deep shock created by these events. They successfully used Palestinian terrorism to anaesthetize the Israeli electorate and marginalize opposition to their continued entrenchment of the occupation. As the irrationality of the right's program became increasingly obvious, Sharon sought to deflect criticism (as well as the embarrassment of corruption scandals) by a series of cynical maneuvers. Israeli withdrawal from Gaza has been packaged together with increased settlement and annexation of large tracts of the West Bank. The prospect of a cantonized Palestinian "state" is presented as an initiative for "separation" from the Palestinians. In fact, these proposals are a perversion of ideas advanced initially by the Israeli left. In their original form, they called for full withdrawal to the 1967 borders and the construction of a security fence to protect Israel from terrorism and save it from the self-destruction caused by occupation of the Palestinians.

The crisis in Israeli politics long predates the collapse of Oslo and its attendant violence. The settlers and their political sponsors have held Israel hostage since the early 1970s. Both Labor and Likud governments promoted settlements after 1967. While Labor initially limited and justified them on security grounds, it quickly found itself indulging a settler lobby and a sizeable electoral constituency residing in the occupied territories. Critics warned of dire political and demographic consequences, but vigorous opposition to the occupation was limited to a few small parties on the left and to extraparliamentary peace groups.

Yitzhak Rabin was the only Israeli leader to stand up to the settler lobby by freezing settlement construction. The right launched a campaign against him that featured systematic character assassination and incitement to violence. This frenzy provided the context in which a radical religious nationalist assassinated Rabin in November 1995. The implications of Rabin's murder for Israeli democracy have never been properly addressed. Initially, the religious right expressed remorse and disbelief that such an action could be committed in its name. Instead of using this unique moment to redefine the national agenda, Shimon Peres, Rabin's successor, opted to paper over the deep internal conflicts that the assassination exposed and sued for a reconciliation with the right that looked uncomfortably like appeasement. After Peres's brief tenure in power both Benjamin Netanyahu and Ehud Barak continued settlement expansion.

The Intifada has finally exposed the folly of the occupation to most Israelis. They now see that it threatens the viability of their country. Oddly, this new realism has not translated into a serious challenge to Likud policies. Instead, Israelis have retreated into the shelter of their private lives with a sense of helplessness. But this helplessness is the result of decades of evasion in which the far right was permitted to define the strategic choices of the country.

War on Terrorism

September 11, 2001, demonstrated that radical Islamic movements pose a genuine threat to American security. However, the Bush administration's campaign of foreign intervention and domestic antiterror initiatives go well beyond the problem of combating terrorists. They have been used as the basis for military adventurism and an assault on civil liberties. Bush's unilateralism has estranged most of America's allies. His war on terrorism has provided cover for an extremist economic policy of tax cuts that primarily benefit the corporate plutocracy sponsoring his political machine. There is an obvious parallel between Sharon's use of Palestinian violence to pursue his annexationist program and Bush's exploitation of a genuine terrorist threat to implement a far-reaching right-wing agenda.

The transformation of the American political scene places the American Jewish community in a difficult situation. The fact that Islamic terrorists identify Jews as prime targets provides strong motivation for supporting Bush's campaign, given that opposing Bush

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places Jews in the company of the most virulently anti-Jewish groups operating abroad, as well as that of European "peace" activists who demonstrate a penchant for appeasing anti-Semitism and hatred of Israel. Unfortunately, Bush's political coalition includes some of the most unsavory elements of American political life. It threatens the basic fabric of pluralism and liberal democracy within which the Jewish community has flourished.

Jewish neoconservatives have long sought to persuade American Jews to support the hard Republican right by pointing to the pro-Israel stance of its Christian component. They have argued that conservative opposition to government-sponsored social programs and affirmative action enhances the sort of meritocracy which Jews rely on for success. Fortunately, the majority of Jewish voters have resisted the neoconservatives and sustained their broadly liberal allegiances. The neoconservatives consistently misrepresent the right as culturally open and committed to equality of opportunity. They airbrush out the bigotry and xenophobia that permeate the Republican coalition, and they ignore the acutely anti-Jewish core of the religious literalism of the evangelical right. These views have come into clear focus through the unreserved enthusiasm with which many conservative Christians greeted Mel Gibson's cinematic rendering of a traditional Medieval Passion play. Most American Jews clearly recognize themselves as members of an ethnic minority whose well-being depends on robust cultural pluralism and social egalitarianism. In short, American Jews are faced with a grave foreign threat from a nascent anti-Jewish fascism on one hand and a right-wing political alliance that undermines pluralist democracy at home on the other.

Elements of a New Jewish Politics

During the Oslo process, it appeared that Israel and the Jewish Diaspora were comfortably evolving toward a relation of friendly association between two distinct entities. This trend has now been replaced by a strong sense that Israel and the Diaspora share central elements of a common destiny, whether or not they choose to do so. The new anti-Semitism has again forced Jews onto the world stage as a collectivity, to the chagrin of Jewish anti-Zionists and to the delight of extreme Zionists who reject the Diaspora.

Jewish responses to these events have generally been of two types. Many in the official leadership have rallied to Sharon and to Bush, despite their own doubts about the wisdom of both leaders. By contrast, a minority of Jewish intellectuals and public figures are, with increasing desperation, attempting to ward off the tide of mounting hostility through appeasement and self-denial. Both responses are misguided. Retreating into belligerent nationalism threatens the security of Israel and the well-being of Jews in the Diaspora. At the same time, shamelessly currying favor with bigots is as ruinous as it is distasteful. Past experience demonstrates that even the most accomplished court performer will, in the end, be destroyed by dancing to the song of those who would set the standard of what it is to be an acceptable Jew. Largely absent in this situation is serious political discussion among Jews (including Israelis) of how to confront the disturbing challenges that they face.

The end of the nineteenth century brought a democratization of Jewish politics in Eastern Europe with the emergence of popular Jewish political movements. These included Zionism in its diverse forms, Jewish socialism, the Jewish labor movement, and diaspora autonomism. These movements sought to fashion responses to the problems engulfing their world. They rejected the politics of notables (*shtadlanut*), in which a few wealthy Jewish leaders managed the interface between their communities and non-Jewish authorities. The new movements created a range of strategies for coping with an increasingly precarious world. It was through these approaches that Jews dealt with the impending catastrophe of the Holocaust, mass immigration to North America, and the creation of Israel. In large measure Jewish survival was due to the creativity and determination of the new political movements.

In the post-war era, diaspora Jews returned to a modern version of government by notables under the sponsorship of Jewish advocacy organizations. In Israel, too, Jewish political imagi-

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nation went into hibernation. The gravity of the current challenges renders these patterns obsolete. There is an urgent need for a new Jewish political discourse. It requires at least four major elements. First, diaspora Jews must respond to the dangers that confront them as a mobilized political constituency. Politics must be taken out of the hands of advocacy organizations and made the concern of the entire community. Dormant traditions of vigorous democratic political discussion must be revived in public forums and in the Jewish press.

Second, the time is long past for responding to the new anti-Semitism through begging and impotent expressions of outrage. Going cap in hand to plead for understanding from groups and people who either promote this poison or deny its significance is as pointless as it is demeaning. A militant popular campaign, activating all parts of the community, is required to confront anti-Jewish racism in all its ugliness. It is, of course, essential to insist on the distinction between forceful criticism of the Israeli government and hatred of Israel as a country. But the ease with which "Zionism" and "the Zionist lobby" are now invoked in ever widening circles as proxy terms for Jews and Israelis is as pernicious as the use of shopworn code words like "mixed schools" and "high-crime areas" by racists who promote anti-black bigotry.

Third, diaspora Jews can no longer sit on the sidelines while a right-wing government runs Israel into the ground. The occupation is not simply a domestic Israeli issue. It threatens Israeli democracy, disfigures Israeli society, and endangers its very existence. Getting Israel out of the occupied territories must be a collective Jewish priority everywhere. The future of the Jews as a people depends upon it. Diaspora communities must speak directly to the Israeli electorate out of common concerns and commitments. This requires the creation of a large constituency within these communities that defines an end to the occupation as an overriding Jewish interest.

Finally, support for liberal and democratic alternatives to the conservative onslaught in America is a central Jewish concern. The continued vitality of Jewish life in the United States, as well as abroad, requires a tolerant and egalitarian America. It is time to discard the delusions of Jewish neoconservatives who promote a dalliance with the radical right and to organize widespread Jewish support for those political forces that seek to restore America's best democratic traditions. Old alliances with organized labor and with other minority groups must be resuscitated. This process entails a reinvention of political traditions forged by Jews when they first made their way in the country at the turn of the last century. The current wave of intolerance inspired by Bush's attack on democratic institutions could easily prove toxic to Jews, and, in the case of the Christian right, it has already done so. Jewish interests remain inextricably bound up with a progressive, liberal United States.

Creating a new Jewish political discourse is a complex and difficult task. It is now urgent that this task be taken up in earnest. ●

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A Democratic Year?

Harold Meyerson

The Republicans, I rejoice to report, are an unhappy family these days. They even bear some resemblances to the Democrats during the Vietnam era.

Their base, to be sure, is not shattering: it remains foursquare behind George W. Bush. But the same cannot be said of their superstructure. Within the Republican Congress and commentariat a civil war has broken out between the neoconservative champions of the war in Iraq and a growing number of anti-neocon-conservatives who are appalled at the administration's bungling of the occupation or who never believed in our capacity to remake the Middle East into a Westernized democracy—or both. From the columns of George Will to the comments of Senate Foreign Relations Committee chair Richard Lugar of Indiana, the discreet clamor of the paleo-cons, arguing that the administration has all but preordained our failure in Iraq, grows steadily louder.

By the historic standard of Democrats, of course, the conservative dissenters are a decorous bunch. No one is calling for Bush to stand down or pull out as such, and Lugar, unlike J. William Fulbright, his Democratic predecessor as Foreign Relations chair during Vietnam, is unwilling to challenge a president from his party head-on. But their opposition to and criticism of the policy with which the president is most closely identified, this close to a general election, has scant precedent in Republican history.

The erosion of support from Republican moderates, and some traditional conservatives, is one reason why a series of polls from mid-May showed Bush's approval ratings down in the mid-40 percentiles—the lowest of his presidency, and a level that historically has spelled doom to an incumbent president's bid for a second term. With Bush's toughness no longer the virtue that offsets all flaws, disenthralled moderates are now free to contemplate and be sickened by the Republicans' lurch to the right.

And the turn rightward is the essence of Bush's presidency, following as it does from the administration's central strategic premise: that Bush's father lost his second term because he estranged the Republican right, and that no one or nothing will ever be permitted to come between the younger Bush and the conservative movements. This, of course, misreads Poppy Bush's travails: it was the economy, not the right, that did him in. But Karl Rove and the younger Bush see it differently: by agreeing to raise taxes and appoint the occasional social moderate to public office (David Souter, for instance), Poppy called down upon himself the twin catastrophes of Pat Buchanan's primary challenge and the GOP right's November indifference to his reelection.

His son's been made of sterner stuff; his entire administration can be seen as a rejection of the fundamental directions, in foreign and social policy both, of his father. (Indeed, there hasn't been so clear a case of Oedipal conflict shaping an administration since Jerry Brown's small-is-beautiful governorship repudiated Pat Brown's New Deal-Great Society liberalism.) Where Bush the father—a former U.S. ambassador to both China and the United Nations—believed in diplomacy and multilateralism, Bush the son believes in force and unilateralism. Where the father showed some concern for mounting deficits and some distance from the Christian right, the son shows neither.

Worse yet, Bush's belligerent provincialism, hatred of unions and workplace and environ-

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mental regulations, and his preference for fundamentalist religion over scientific models aren't his alone; they typify the entire Republican deep-South leadership. This was not the case during the presidency of our last right-wing president. When Ronald Reagan was in the White House, House Republicans were led by Illinois moderate Bob Michael, and their Senate counterparts first by moderate Howard Baker of Tennessee, then by paleo-con Bob Dole of Kansas. In Bush's time, by contrast, Republican legislative leaders have tended to come from the South, bringing with them a bushel of Bible-Belt Babbitry. Tom DeLay, Trent Lott and Dick Armey are creatures out of H.L. Mencken—racist, homophobic, xenophobic, fearing a Southern Protestant God and despising all others.

THE PROBLEM for Bush is that most Americans don't want to be governed by the Rotary Club of Fort Worth, or the big boys over at Enron and Exxon whose water the Rotarians always carry. This distaste is not decisive in itself. Many Americans will overlook it if they believe that the president is protecting their nation from terrorist threats. But Bush has made such a hash of Iraq that his polling even on combating terrorism has fallen precipitously. On the home front, many Americans will also suspend judgment if economic growth is so brisk that the manifest lack of economic fairness pales to insignificance. But the crucial indices of growth tilt against Bush. In particular, the renewal of job creation has come too late in his term to boost wages before the November election. With the rate of private sector unionization now close to a minuscule 8 percent, we are approaching the point where recoveries take a very long time to increase incomes. (And where the economic models for predicting presidential elections, calculated during the New Deal order in which prosperity was broadly shared, look increasingly obsolete.)

During the three-and-a-half years of the Bush presidency, wages have risen by 1.5 percent a year—the most meager increase since the end of World War II—while profits have surged by an annual 30 percent. Health coverage is being cut back almost everywhere; higher education grows less affordable; regressive state and local taxes are rising because the federal government has refused to help out states and localities. An incumbent Republican president may be able to politically manage unfairly shared growth, but growth for the few and stagnation for the many is a record that would tax better pols than Bush and Rove.

Fewer than four in ten Americans now give Bush passing marks on the economy, and his grades for Iraq are skidding to that level as well. In both instances, the polling makes clear that the public does not believe that Bush has a plan to make things right—an impression that only deepens every time Bush endeavors to explain himself. His spring press conference, his *Meet the Press* appearance, his State of the Union address—none of these gave him the bounce one would expect a president to get from his major election-year announcements. Each was oddly content-free: it's clear the president has no one in his policy shop who's coming up with new ideas. Worse yet, Bush continues to reaffirm the two cock-eyed ideas—that tax cuts for the rich will kick-start the economy; and that our Iraqi occupation will squelch terrorism and build a democratic model for the Middle East—that have landed him, and us, in the soup.

It's hard to see how Bush will turn this around. A major terrorist attack in the United States would be a wild card, of course. But by election day, Bush will still likely have presided over a net loss of jobs and a distinct period of economic anxiety for most Americans. By election day, U.S. forces may have burrowed into their compounds in Iraq and stopped going out at all, but in that case, Iraq's reconstruction will surely have ceased and its sectarian strife worsened. In an election that will fundamentally be a referendum on Bush, the facts on the ground—our ground and Iraq's—are not likely to help him. The administration is run by stubborn men, but the facts they confront—many of which they themselves have created—are more stubborn yet.

But can John Kerry, whose campaign has not always been a thing of beauty, present himself as a credible alternative to Bush? You betcha.

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Contradiction and Consensus

The Democrats, meanwhile, find themselves in a period of relative harmony—a development as bewildering for them as dissonance is for the Republicans. They are divided over what to do about Iraq, of course—with millions of Democrats conflicted in themselves over which of the miserable options that Bush has created is the least terrible. But on the whole, they have come together on a set of broad principles that differentiate themselves clearly from the Bush Republicans and that position them to win the November election. From primary voters and the presidential primary field to congressional Democrats and presumptive nominee Kerry, Democrats have submerged very real differences to rally around a mildly populist economics, a relative fiscal discipline, and a cautious armed multilateralism. That the populism and the fiscal discipline at times negate each other suggests that this is not an entirely stable set of solutions, but Democrats plainly have no appetite to fight their longtime internecine battles so long as Bush is busy undoing the work of every single Democratic tendency.

In the wake of the Democratic debacle of the 2002 midterm elections—in which House Democratic leader Richard Gephardt and Senate Democratic leader Tom Daschle declined to draw clear lines between their party and the president's—two distinct strata of Democrats shared a common revulsion. Both primary voters and congressional Democrats decided they wanted their party to resolutely oppose every dubious right-wing brainstorm of a dubious right-wing presidency. Congressional Democrats chose as their new leader San Francisco's Nancy Pelosi, who led the fight for a substitute motion to Bush and Gephardt's resolution authorizing war at the president's discretion, a motion that did not give Bush a blank check to go to war. In her campaign for Democratic leader, Pelosi also pledged that the Democrats would never again go into battle concealing their identities. And in her year-and-a-half as leader, Pelosi has toughened caucus discipline and produced the highest level of party unity on recorded votes since the 1960 session.

House Democrats had been impressed by Pelosi's decision not only to oppose Gephardt on the war but to entrust the drafting of her alternative resolution to South Carolina's John Spratt, a centrist with a long record of supporting the military. Pelosi would let Democrats be Democrats, but she would not let them marginalize themselves. Shortly after she was elected leader, Pelosi appointed Spratt to the newly created position of alternative leader, and when voicing her increasingly fierce criticism of Bush's war and occupation, she characteristically appears alongside such longtime Democratic hawks as Pennsylvania's John Murtha, whose disdain for Bush complements hers.

For their part, primary voters flatly rejected the candidacies of Dick Gephardt and Joseph Lieberman—the presidential candidates who'd identified themselves with Bush and his war. At the same time, though, the voters also rejected the candidacy of Howard Dean, who'd been the first candidate to detect and then articulate the passionate opposition of hard-core Democrats to the war—opting instead for the candidate who most nearly fit the model of a fighting dove. Thinking like Pelosi when she surrounds herself with Murtha and Spratt, primary voters chose a critic of Bush's war who nonetheless had unimpeachable military credentials. John Kerry was chosen precisely because he symbolized this double message. Republican attacks to the contrary, Kerry is no flip-flopper: His position on Iraq is the same as when he voted with caveats for the war resolution in the fall of 2002. It is Bush, the one-time unilateralist who now implores the United Nations to take control of much of the transition, who has changed his position. But if Kerry neither flips nor flops, his prudent, armed multilateralism is a complex position that mirrors the complexity of much of the party base, and that reflects the party's desire to win swing voters, too.

The primary season also saw every Democratic presidential candidate but Lieberman campaigning as a recognizable Democrat. All put forth health insurance programs that covered at least 70 percent of the uninsured. All warned against the specter of Wal-Mart; all favored labor law reform that would enable workers to join unions without fear of firing.

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Longtime free traders, Kerry included, took care to note that they would support only those trade accords that established enforceable environmental standards and labor rights in the core agreements.

But if the mainstream was moving in a more populist direction, it was also embracing fiscal discipline. It could hardly be otherwise: Bush's mind-boggling tax cuts threaten domestic programs now and social insurance tomorrow, at least if taxes aren't raised to keep social insurance solvent. All this, however, has made the Kerry campaign the occasional marvel of self-negation.

During the primary season, for instance, Kerry proposed a massive increase in college grants and loans—something long overdue as the student bodies of American colleges have come to contain fewer and fewer students from working-class families. He proposed a voluntary national service program that would enable participating recent graduates to have their loans forgiven. Now, under pressure to demonstrate that he'll close the deficit, he has announced that this program will be deferred until the deficit is substantially reduced, which means, years after he would take office.

In a sense, the internal debate that consumed the first months of Bill Clinton's presidency, between those who'd spend on job creation and those who argued that deficit reduction trumped more traditional Democratic programs, has already been played out inside the Kerry campaign months before he even officially becomes the nominee. Such is the magnitude of Bush's fiscal indifference, and such is the power of the financial industries, that Kerry has already announced he will opt for Bob-Rubinesque belt-tightening over some of his own most important and most electorally appealing programs.

The quadrennial tug-of-war between the party's populist instincts and its more financially centrist impulses hasn't risen this year to the level of class war—which makes this year a departure from a thirty-five-year-old norm. The candidates who most clearly represented the opposing sides in the party's civil war on trade—Gephardt and Lieberman—dropped from the pack early. Not surprisingly, the Democratic Leadership Council had nothing to offer Lieberman to boost his campaign. More surprisingly (but it shouldn't have been), the old industrial unions (including the Teamsters) that campaigned for Gephardt were able to deliver just a smattering of votes. These were largely unions for whom organizing has become a lost art, breeding an insularity that makes political outreach difficult for them, too. With their memberships in decline, moreover, the number of voters they could mobilize had been shrinking. Even the most politically adept and burgeoning unions, however—the Service Employees International Union (SEIU) and the American Federation of State, County and Municipal Employees (AFSCME)—came up short when they campaigned for Howard Dean. No wing of the labor movement excelled at candidate selection this year.

The candidates who fared best in the primary season, by contrast, both learned to talk populist—John Edwards far better than John Kerry, to be sure—while advertising life stories that won them broader appeal. So muddled were the class politics in this year's campaign that Kerry repeatedly beat Edwards among the downscale blue-collar voters at whom Edwards' message was aimed, while Edwards defeated Kerry among upscale independent voters and rural voters, too.

Kerry's balance of differing and at times conflicting economic perspectives only sets the stage for his somewhat contradictory positions on Iraq. He is, in a sense, the tribune for the party's incoherence. With American credibility in Iraq all but nonexistent, tens of millions of Democrats, we can infer from the polling, want the United States to leave. By the same token, the reversion of at least half of Iraq to an Islamic-influenced domain where women must give up the gains they'd experienced under secularism is not a prospect that any Democrats welcome, either.

Just as Kerry would do well to find a way to keep his college affordability program afloat despite the pressures on him to reduce the deficit, he would also gain from setting a date certain by which he'd pull U.S. forces out of Iraq. The Bush people would pounce on him as a flip-flopping peacenik, but by taking such a position, Kerry would inject a note of real-

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ism into a debate over Iraqi policy that, at the level of the presidential contenders, seems increasingly remote from the Iraq we see and read about in news accounts. What's more, Kerry would compel Bush to state whether he favors an open-ended commitment of U.S. forces to Iraq. That's a discussion that Bush cannot possibly relish

For now, both of Bush's mega-policy failures—his boundless tax cuts and his disastrous Iraq occupation—have confounded Democrats in general and Kerry in particular. Faced with the Bush deficits, Kerry has opted to short-circuit some of his best programs. Confronted with the aftermath of Bush's idiosyncratically idiotic war, Kerry, and many within the party's foreign policy establishment, veer between recommendations for more troops and votes to cut off funding to the occupation. These are both real, if solvable, problems for Kerry; his consolation is that they're even bigger problems for Bush.

Democratic Demographics

As spring turns to summer, this is looking more and more like a Democratic year. At this point, I expect John Kerry to be elected president and the Democrats to retake the Senate, with a shot even at recapturing the House.

Bush's failures, and those of the Republican-led Congress, to enact any legislation that addresses the nation's needs are the proximate cause for what I believe will be the coming Democratic victory, but there are more long-range reasons as well. Among them is the galloping growth of the Latino population in such key swing states as Florida, Arizona, Colorado, and Nevada. Marc Gersh of the National Committee for an Effective Congress, for instance, estimates that Hispanic voting age population has increased by 31 percent in Florida since the 2000 vote—an increase that consists chiefly of non-Cuban Latinos from Mexico, Puerto Rico, and Central America. The greatest concentration of new Latino voters in Florida is in the Orlando area, where a massive voter registration, education, and mobilization campaign is being waged by America Coming Together (ACT), the so-called "527" independently funded and run campaign organization headed by former AFL-CIO political mastermind Steve Rosenthal.

Although it is true that the Bush campaign has deployed its ground campaign well in advance of Kerry's, it's also true that the Bush folks are still playing catch-up with the not-widely-publicized efforts of Rosenthal's legions. For all the hype that has accompanied the growth of the Bush campaign in Ohio, for instance, ACT has registered more new voters there than the Republicans. And the one campaign where the Rosenthal show has been on display during this election cycle was that for embattled incumbent mayor John Street in Philadelphia last November. The Democratic 527s registered eighty-six thousand voters in the city's black and Latino communities—this in a city of fewer than 1.5 million voters. Trailing in early polling, Street benefited from this surge in voter registration and went on to win by a 59 percent to 41 percent margin.

Rosenthal's walkers return repeatedly to the same voters in the same households, talking issues and candidates—a kind of dialog that Rosenthal equates to the ongoing discussions that voters had with ward heelers in the heyday of the Democratic machines (minus the patronage). Even if the parallel is a bit strained, it does point up that the new 527s are doing the kind of work that political parties are supposed to do—and in most states, where party machinery has decayed virtually to naught, they are doing it better.

There are certainly sub-groups and regions where the Republicans can run better this year than they did four years ago. They may boost their share of the Jewish vote as a consequence of Bush's obsequious embrace of Ariel Sharon; they may run stronger in the new exurbs, where suburban conservatism and rural conservatism reinforce each other. But the Republicans' efforts to sway larger constituencies have fizzled. By crafting an immigration proposal designed chiefly to please America's low-wage employers, Bush has forfeited his chance to pull down a larger share of the fastest-growing slice of the American electorate, Latinos. By crafting an affordable-drug bill designed chiefly to enrich drug companies, Bush has forfeited his chance to win a greater share of the senior vote.

Demographics are on the Democrats' side.

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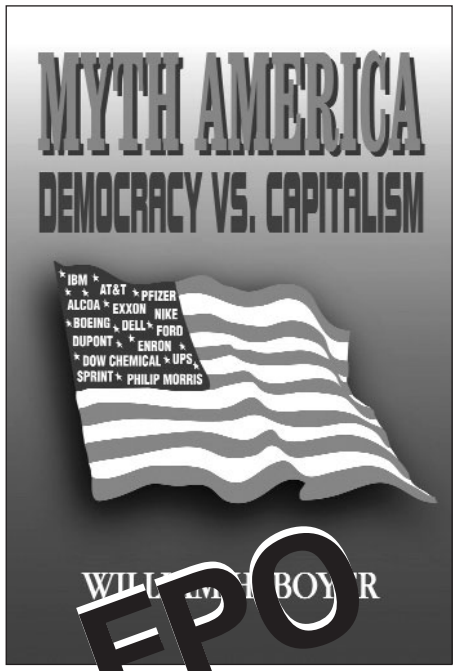

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The mobilization of the current wave of immigrant voters is transforming entire states, from California to Florida, just as the mobilization of immigrant voters transformed Pennsylvania from a Republican bastion to a Democratic stronghold during the 1930s. The growth of social tolerance among young people—the only age group to support gay marriage is that of twenty-nine or younger—is a time bomb for the Old Testament Party that the GOP has become under its Southern leadership.

Will that future arrive this year? Enough of it will, I believe, to tip the election in the Democrats' favor. Conflicted though they be on some basic questions of policy, the Democrats understand that the United States cannot play the belligerent superpower in world affairs, and that the American people cannot be left to fend for themselves in an increasingly rapacious capitalist economy. These are hardly stunning revelations, but they will likely return the Democrats to power. ●

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Ambiguous Legacy

Summerton, South Carolina, and Briggs v. Elliott

Darryl Lorenzo Wellington

The fiftieth anniversary celebration of *Brown v. Board of Education* leads uncomfortably to a South Carolina country town named Summerton. With a population of barely one thousand, Summerton seems too culturally unimpressive a place to have ever participated in a great historical moment. It not only lacks a college, it lacks a public library. The wide trailer homes, the tin roof houses, and the empty tracts of land indicate a lack of new construction. Just as a nodding head, sagging shoulders, and lifeless eyes are reliable signs of depression, so the faded façades and closed storefronts along Summerton's main street signal economic gloom. A small town slumps along with a case of the blues.

The police station is a Korean War Quonset hut, staple of the 1950s, a provisional edifice originally used as a war bunker. Some decades ago the township stuck some windows in. Summerton has been described as "a land lost in time." It seems a cliché to say that in the wake of *Brown* little has changed, but given its connection to the end of *de jure* segregation, Summerton could serve as a poster child for the emotionally charged feelings that go with the cliché.

Few would argue with the assertion that Summerton—and the surrounding rural communities of Clarendon County—remain by and large segregated. Summerton has two traffic lights and a Piggly Wiggly convenience store. Then you're on the road out of town. On some off-shooting roads, there are pleasant estates, antebellum status symbols. Behind the Piggly Wiggly, the lines are clear. Suddenly the roads are beat up, the potholes deep; houses sink feebly into the muck underneath.

There are no literal railroad tracks. If there were, the insultingly abrupt transition would suggest "the other side of the tracks." This is where the "Negroes" lived in books like Lillian Smith's *Strange Fruit*. As a white Southerner, this is where you would have driven in the 1950s to pick up the family maid. As a black man or woman you would have lived here—not by choice, rather, by law and legally enforced tradition. In a town this small, the social lines stand in stark relief. It is in fact difficult to write about Summerton as it exists today without feeling that one is exploiting stereotypes. Two thousand four cannot be 1954. I'm embarrassed to imply that it is. But the social vision rises before one's eyes.

As the past mirrors the present, so too the Clarendon County school system then and now. Blacks attend the public schools; most whites attend private academies. Clarendon County school districts 1, 2, and 3 are involved in a lawsuit alongside thirty-three other South Carolina school districts, *Abbeville v. State of South Carolina,* suing the state for failing to meet the barest educational needs of its citizens. Testimony regarding education within the thirty-six rural school districts has described woefully inadequate facilities, untrained teachers, and classrooms without books. Lawyers are attempting to shame South Carolina into taking action against conditions that resemble third world educational deprivation. Though the focus of the case is poverty, not race, the conditions have a particularly strong impact on African American students (as they did in 1954). Eight school districts are serving as representative districts in the case, and those eight are 88 percent minority (the state average is 48 percent).

This fiftieth anniversary year will see much discussion of the aftereffects of *Brown*. There will be arguments about how the face of our democracy has changed and why and where

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disfiguring pockmarks remain. Participants in these arguments should look back to the rural communities of Clarendon County. *Abbeville v. the State is* a blip on the radar screen of current events, but fifty-four years earlier a suit having to do with education originated in Clarendon County; the case, *Briggs v. Elliott*, rose to national significance. This is the pathos and irony of Summerton; it is arguably the birthplace of desegregation.

This is what happened: a group of blacks living in or near Summerton filed suit against the local school board. Their bone of contention was the board's failure to provide basic, much less equal facilities. Begun as a lawsuit over equal opportunity, *Briggs* was expanded into a challenge to the constitutionality of segregation itself—the first challenge against the 1896 *Plessy v. Ferguson* ruling. Fifty years ago, *Briggs* was argued jointly with four other lawsuits calling for the desegregation of public schools before the U.S. Supreme Court.

Of those five cases, tried collectively as *Brown v. Board of Education, Briggs* and *Brown* were the first to wind their way through the appellate system. *Briggs* chronologically preceded the other suits. Alphabetically, also, *Briggs* precedes *Brown*. Court cases traditionally bear the name of the first of the litigants in the alphabetical list. It has been suggested that in this sensitive social challenge to the American way of life the Supreme Court justices were reluctant to hear a case that appeared to be directed specifically against the South. A case bearing *South Carolina* in its name could inflame passions. But for the legal or political move that changed the name of the case to that of the *second* of the litigants, *Brown v. the Board of Education of Topeka, Kansas* would have been known instead as the case of *Harry Briggs v. R. M. Elliott*, chairman of the board of education of the Summerton district public schools.

The Story

Briggs v. Elliott was the upshot of a social uprising in the most unlikely of times and places —a backward South Carolina county in the late 1940s. *Briggs,* like *Brown,* has its roots in dissatisfaction. But dissatisfaction can remain sprawled, diffuse, lacking a consistent impetus or direction. How it was turned into decisive social action in Clarendon County is a complicated story, but it has its luminaries. It has, in particular, a lodestar: Joseph Albert DeLaine, a Methodist minister in the Summerton area.

In the late 1940s, the bulk of the black population of Clarendon County subsisted either as tenant farmers or sharecroppers. *Sharecropper.* The very word carries associations from books and movies that suggest the harshness of a way of life. Economic conditions were hard for whites, and harder for blacks. Sharecroppers slept on straw cots, their income was seasonal, they were always in debt to the landowners. Many suspected that the landowners' books were fixed, and many of them were probably right, but few could argue the point. The general level of mathematical knowledge or simple literacy was low.

Of the enemies of progress—poverty, segregation, and a general lack of education—the black community was most likely to succeed in redressing the last. Education was held in high regard by sharecroppers, who saw immediate gain in the ability to do figures and challenge fraudulent debts. Self-sufficient solutions preceded any effort at legal redress. In the mid-1940s, Negro parents in the Summerton area pooled their funds to buy a school bus.

In Clarendon County, white students were provided with buses; black students were not. Before the purchase, the walk to school for many black students was an arduous, and sometimes dangerous, ten mile trek. A bus was purchased at a cost of $400. This was an immense sum in a community where cars were rare and many still traveled by horse and buggy. Unfortunately, the community underestimated the total expense. Along with the bus, they needed a regular driver. Furthermore, the bus was an old, rickety affair, previously junked by the white school system. Eventually the bus broke down. But by then energy had been funneled in another direction.

The decision was made to proceed with a legal resolution. Given the authoritarian segregation of Clarendon County, this was an immense leap of faith and determination. Several elements fused to bring the community to

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this point. The local National Association for the Advancement of Colored People had already expressed interest in transportation issues. Specifically, NAACP spokesperson James Hinton had delivered a speech at Allen University in Columbia, South Carolina, daring his audience to challenge South Carolina's preposterously lopsided busing practices. The community was encouraged by the support of a white man of influence, Judge J. Waites Waring of Charleston, S.C. Waring had alienated himself from Charleston's white community—and become the friend of South Carolina's black community—by ruling with the NAACP and forcing the Democratic Party to allow blacks to vote in primary elections. He had also taken a public and vocal stance against Jim Crow laws generally, a stance that encouraged the general belief in legal solutions.

But it was a local leader, one of the black community's own, J. A. DeLaine, who provided the axis around which action would develop. DeLaine's seventy-year-old son, Joseph DeLaine, Jr. recollects, " I would say there were three people in the community at that time, not only my father, who had the vision and who wanted change. But of the three I would say my father was the most headstrong." A younger son, Brumit DeLaine, remembers that "Dad used to hate for people to say 'God will take care of everything.' He couldn't stand that. He said, 'God gave you a mind to use for you to take care of yourself.'" Finally, Brumit DeLaine warns us not to discount desperation as a motive. "When you think, why Summerton and not someplace else? Think of a coward. Not that I'm calling the people of Summerton cowards. But even a coward if he has his back to the wall to the point that it becomes an issue of basic survival, he'll fight. Because he's got nothing to lose not to fight. He's gon' die anyway. At that time things had gotten so bad that people were willing to try about anything."

The most appropriate image for *Briggs v. Elliott* is that of a school bus, a simple, basic need unanswered. Ironically, it is a need that, had it been answered, could have forestalled the lawsuit. An initial suit was filed in 1947 (*Pearson v. the State of South Carolina*, named after Levi Pearson, who served for awhile as the volunteer driver of the late-lamented, broken-down bus). That was a suit over equal access and equal facilities. It was not a challenge to segregation itself; it simply challenged the immense discrepancy between white and black funding for transportation. But, partly because of DeLaine, who had established contact with the NAACP Legal Defense Fund, and partly because of the arguments of the NAACP attorneys, most notably Thurgood Marshall, it was a daring challenge to the status quo.

Levi Pearson v. the State was dismissed because of a legal technicality that may have been a trick of the powers-that-be. The plaintiff Levi Pearson's home straddled two school districts. He had no rights in the district in which he had filed suit. It was probably expected that this convenient technicality would abrogate the social threat. The powers-that-be underestimated J. A. DeLaine's tenacity.

After the initial setback, Marshall was unenthusiastic about continuing with Clarendon County as a civil rights test case. The place was a backwater, and the case was unlikely to generate widespread public interest or, most important, financial support. The NAACP would have preferred a more visible arena. But black residents of the Summerton area had suffered already for their support of change. DeLaine believed passionately that Marshall was abandoning him and the people of the community in midstream. Poked and prodded by DeLaine, Marshall relented and agreed to continue the case if its perspective was broadened to the entire educational system (not just transportation) and the number of plaintiffs increased to at least twenty. DeLaine organized a series of public meetings in Clarendon County to explain to the community that the suit now demanded full educational equity, that signers were needed among local parents, and that the risk was worth the potential gain. These meetings were a hybrid of political rallies and church revivals. The main speakers were mostly preachers; information was passed out; backbone was strengthened.

One of the signers, Maize Solomon, would later remember that for her putting her name down was a simple matter. "Our children didn't have a bus; they didn't have desks." This simple matter was nonetheless a fearful one. In communities as sharply segregated as Clarendon

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County, DeLaine's meetings garnered the nervous, watchful attention of whites: this was brazen, illogical defiance. Soon Summerton and the surrounding communities spiraled into chaos. The years 1949-1955 were characterized by racial strife, tension, and mischief. Reality seemed flimsy; certainties were abandoned, and threats were constant. At the same time as the rallies were being held, drumming up support for a lawsuit, students at Scotts Branch, the black high school in Summerton, formed a committee to protest shady practices and racist policies; Scotts Branch had four different principals within one year. DeLaine was threatened, harassed, fired from jobs.

After DeLaine and Marshall visited them at home, Harry and Eliza Briggs became the first signers of *Briggs v. Elliott*. DeLaine exceeded Marshall's requirement. The suit eventually involved more than one hundred petitioners.

Briggs v. Elliott's one hundred signers suffered reprisals: the loss of rights, privileges, and jobs. The stories are many. White backlash in Clarendon County differed from the nightmarish murders and lynchings of Mississippi—although there are rumors of murders during this period. Still, it is frightening to consider the degree of casual power certain privileged whites commanded. In Julie McGruder Lochbaum's *The Word Made Flesh,* she records the various stratagems used to discourage the petitioners. "William Ragin and Rev. J. W. Seals were fired in December and January. Two World War 11 veterans who signed the petition, Harry Briggs and William Stukes, were denied admission to those hard won GI classes held at Scotts Branch, with the excuse that classes were filled. . . . Debts were called in right before Christmas. Mortgages were called in. Farmers' credits were denied. If the cotton crop from plaintiffs or their sympathizers was accepted at gins at all, it was priced down. White merchants put signs in their windows exhorting 'Negroes keep out.'" A high school student known as a leader in the protests at Scotts Branch, Reverdy Wells, had his high school record falsified. The college he applied to received a transcript falsely indicating that he was a failing student (and consequently rejected him). Only in 1991 was Wells able to obtain his true transcript.

When *Briggs v. Elliott* convened, the state's attorneys expressed a willingness to equalize resources. A recently enacted 3 percent sales tax was proposed as a source of funds sufficient to equalize public educational facilities. But whether the state would have made a good faith effort to improve facilities or whether these were false promises was by then a moot point. For the NAACP and Thurgood Marshall were no longer interested in equalizing segregated facilities. In the first challenge to legalized segregation, they argued that the status quo was inherently unequal and therefore unconstitutional.

Shortly before the *Briggs* trial, DeLaine's house in Summerton was firebombed. Fortunately the DeLaine family had already moved miles away to Lake City, South Carolina. *Briggs v. Elliott* was decided by a panel of three judges. The plaintiffs lost, but they celebrated a dissenting opinion, written by J. Waites Waring. Waring quoted from the fourteenth amendment: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States," and then added, "It seems to me that it is unnecessary to pore through voluminous arguments and opinions to ascertain what the foregoing means. And while it is true we have had hundreds, perhaps thousands, of legal opinions outlining and defining the various effects and overtones on our laws and life brought about by the adoption of this Amendment, one of ordinary ability and understanding of the English language will have no trouble knowing that when this Amendment was adopted, it was intended to do away with discrimination [and] refers to *all* persons." Waring's dissent was the basis for the next step, an appeal to the Supreme Court.

When *Brown v. Board* won the day in 1954, no one was more surprised than the *Briggs* petitioners that their desperate lawsuit had altered the course of history. DeLaine's career in Clarendon County ended in 1955 when the family house in Lake City was fired upon. DeLaine returned shots; a short gun battle ensued; later he was secretly spirited away. He lived the rest of his life in New York City and Charlotte, N.C. A warrant

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for his arrest in South Carolina made any public return impossible. In the 1960s, DeLaine thought about turning himself in to the South Carolina police and forcing a trial, but abandoned the idea. DeLaine died in 1974, at age seventy-six.

For a time in the 1950s the ongoing plight of the *Briggs* petitioners received publicity in black papers such as the *Chicago Defender.* Relief efforts were organized by local churches, even national organizations. But in the 1960s, although the reprisals against the *Briggs* signers continued, Clarendon County received no press attention. The protest movement shifted elsewhere, to marches in Alabama, voting registration in Mississippi, riots in the inner cities. Clarendon County whites resisted integration and created private academies that exist today. When the "blacklist" was forgotten, sometime in the late sixties, the county returned to its quiet and unprogressive past. DeLaine was long gone. Energy and impetus were lost. The Summerton of today resembles the Summerton of the sixties or worse, the Summerton of a time before that.

In the late 1940s, Levi Pearson, of *Pearson v. the State,* volunteered to drive the bus so that local children, among them his own daughter, could attend school. He is described as a man who never learned to read and write, but who regularly had his children read to him from the black press. The same Levi Pearson operated a timber business that was boycotted by whites after the *Brown* decision. By 1965, he was nearly ruined because trucking companies owned by whites refused to pick up his timber. Harry Briggs was forced to take work outside of Summerton in order to make ends meet. In James T. Patterson's *Brown v. Board*, he reports that "when Harry Briggs was asked in 1979 what [the petitioners of *Briggs vs Elliott]* had accomplished, he replied 'Nothing!' He then reflected a minute and reconsidered, but only slightly. He concluded 'You got to take some pride, it's better.' " As an old man, seeing Clarendon County still stuck in time, perhaps Harry Briggs was saying that more had been accomplished in terms of striking a blow for dignity than for substantive change. It is never the intent of progressives to force a choice between dignity and change. The pity of Summerton—and the irony of too much black history in America—is that this impossible choice is so often imposed.

The Legacy

What can we learn from the story of *Briggs v. Elliott*? The historical facts are important in themselves, but is there a larger lesson?

There are many possible lessons, many possible interpretations. To begin, there is the negative view: little has been achieved. Economic disenfranchisement continues. The beaten up roads behind the Summerton Piggly Wiggly prove the point. Look how the whites live, then at how the blacks get by. The African American residents of Summerton remain—by the standards of twenty-first century America—marginalized and educationally deprived. Doesn't the present-day lawsuit, *Abbeville v. the State,* prove that? Worse, black people have exhausted their quotient of national pity and concern for the debatable privilege of attending public schools with whites—who have by and large switched to private schools anyway.

But this is only part of the story. It is impossible to think about Summerton without appreciating the miracle that *de jure* segregation is over. Whatever its advantages for skillful individuals and black business owners, segregation was about power, a preponderance of power often used insidiously and to force a community into a straitjacket. In 1951, J. A. DeLaine wrote "Is it a credit for Summerton to wear the name of persecuting a segment of its citizens? Shall we suffer endless persecution just because we want our children raised in a wholesome atmosphere? What some of us have suffered is nothing short of Nazi persecution." The Nazi comment was not hyperbolic, for segregation was as much a political as a social arrangement, fascistic by nature.

At the same time, due to the awfulness of segregation, there is a tendency to think of the racial problems of the period as conveniently one-sided. The past was racially essentialist, in contrast to the confusions of today's conflicts. Here, too, *Briggs* is educative. Is it a tale of the power of religious conviction? Is it a tale of white arrogance and battered black pride? Regarding the first assertion, Brumit DeLaine

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insists, "Christianity was what we were fighting against." In his experience, Christianity was a primary force for racism. It was their dogged Christianity that provided the white community of Clarendon County with its confidence and self-righteousness. Furthermore, for Brumit DeLaine, the major lesson he took away from the *Briggs* years was that "You can't judge people by their color, white or black. There were white people who supported us, and black people who we couldn't trust." The man who firebombed the DeLaine residence in 1951 was a black man, supposedly a friend of the family. DeLaine in his sermons at the rallies frequently referred to "Judases" from the black community. From Brumit's perspective, it is important to appreciate the absence of racial absolutes.

Doubtless many people of Clarendon County are unaware of the region's place in history. But the fiftieth anniversary of *Brown v. Board* is awakening consciousnesses. In Summerton, a Briggs-DeLaine-Pearson association has been formed to recognize the petitioners. In 2003, J. A. DeLaine, Harry and Eliza Briggs, and Levi Pearson were posthumously awarded congressional gold medals.

THIS LEADS US to the most important question: what can *Briggs v. Elliott* teach us about the future? For many, the fiftieth anniversary of *Brown v. Board* seems an occasion for chagrin and embarrassment as much as celebration. Given the high rates of black imprisonment, of disenfranchisement, the disproportionate percentages of blacks dogged by poverty and poor schools, African American integration into the larger society still seems unfinished business. This shame haunts educators and historians when they discuss a ruling that "ended segregation" in an America that, defying logic, remains in notable respects segregated. Nowhere is this embarrassment felt more palpably than in the courtroom during sessions of *Abbeville v. the State*. If *Brown v. Board* was high modernism, *Abbeville v. State* is a postmodernist redux. It is mere coincidence that *Abbeville* came to trial in *Brown's* anniversary year. But everyone in the courtroom is conscious of history.

In his opening statement, plaintiff's lawyer, Stephen Morrison, said "Here we are, fifty years after *Brown v. Board*, in the very county where *Brown* was started, still battling for equal education in South Carolina." *Abbeville v. State* is a difficult case to watch. The plaintiff's witnesses are teachers, social workers, and psychologists, describing substandard conditions, preposterously high dropout and teacher turnover rates, and the debilitating consequences for the students. The state in turn argues that the thirty-six counties in the suit, among them Clarendon County, are overwhelmed by phenomena such as teenage pregnancy and high crimes rates—lamentable facts beyond the grasp of the educational system.

Morrison presents witnesses to testify how poor education contributes to crime and teenage pregnancy. Morrison sees himself on a mission. He is attempting to fulfill the mandate inspired by *Brown v. Board:* an equal education for all, regardless of poverty or race. He describes the relationship between *Abbeville v. State* and *Brown* as follows "Imagine this. If Thurgood could come back to Clarendon County in 2004, and see these African American schools with the worst facilities, and the lowest teacher pay, he'd say, what's happened? *Brown* has been overturned and the education system is segregated again. We are truly arguing this case for the disenfranchised. I see this trial as a sequel; in this courtroom we're trying the vestiges of *Brown v. Board*."

Two thousand four cannot be 1950. For *Briggs* and *Brown,* sociologist Kenneth Clark testified on the pernicious psychological effects of segregation; whereas for *Abbeville,* there is educator Joanne Anderson testifying on the psychological needs of children of poverty who often begin grade school knowing thousands fewer words than middle-class children. There is no testimony on the dire effects of race segregation, but there is testimony on the depressive effect of having the children of poverty segregated rather than dispersed among students of higher economic standing. The most telling difference between past and present is that in this "sequel" to *Brown v. Board* there is a strict limitation on the permissibility of evidence pertinent to race.

And one might ask why should this not be so? Why need there be discussion on race, this peculiarly American chestnut? Isn't it time we

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got over race? Isn't the point of the trial increased funding for education? To alleviate the effects of poverty? In what way does race matter? On the other hand, the districts represented are overwhelmingly African American. Is this coincidental? What if it could be shown that race is pertinent to their condition, or to its resolution?

Morrison had originally planned to argue his case partially along racial lines. However, the judge, with the encouragement of the state, ruled that, for the purposes of *Abbeville v. the State,* "race and poverty are co-linear." No race-specific evidence need be introduced (or if introduced, will receive no consideration in the verdict). So Morrison can talk about South Carolina's poor high school graduation rate of 51 percent. He cannot break that figure down by race. He cannot discuss differences in performance along lines of race. He cannot describe the districts he represents as having been in effect resegregated, without drawing an objection from the state.

THERE ARE TWO ways to look at this. The judge's ruling may be influenced by the tenor of the times, the post-civil rights era, where color-blind arguments are more welcome than racialized ones. We have come full circle. Affirmative action—the child of *Brown*—is under attack. A phenomenon known as "reverse discrimination" has been recognized. Racial equality is with increasing success taken to mean color blindness; racial statistics cannot be used even to correct racial inequities.

There is another view. Whatever his motivation, the judge's ruling may represent a legitimate broadening of social vision. Isn't poverty a wider net than race? Many now say that poverty and economic issues should have played a more important role in earlier civil rights battles. Isn't the judge's decision the beginning of a correction of that mistake?

Poverty and race: co-linear or not? Is the judge dancing around the race question, or moving the discussion to a higher plane? When asked, Stephen Morrison emphasizes his mission to fulfill the intent of *Brown v. Board.* "I think I am only being allowed to argue one half of my case. We are in this courtroom pretending that the school districts I represent aren't overwhelmingly African American. That's a sham. The statistics that I can't introduce are important. I can show that among white students and black students of the same class, in South Carolina, there is consistently a higher degree of disenfranchisement among African American students. If I have evidence to that effect, that should be of interest to the state. If the state has to look specifically at the special needs of African Americans in order to fulfill the intent of *Brown v. the Board*, then so be it."

Morrison suggests, with all respect, that the judge may feel race is simply too controversial to introduce and hope for a constructive outcome. I suggest, with all respect, that, politically speaking, the judge may be right. Morrison shrugs.

There are doubtless many instances in which race and poverty are co-linear. But Morrison speaks from the vantage point of *Brown's* legacy to remind us there are instances when they may not be and that there are dangers in ignoring those instances, particularly if the motivation is fear. Let race be eliminated from discussion in cases in which it does not matter, but not because it makes us uncomfortable. If the past was never racially essentialist, perhaps neither is equity synonymous with a blind rush toward color blindness.

Readers will now have to look at their own understanding of fairness and equity and ponder the degree to which it signifies a legitimate broadening of our social vision or, conversely, the degree to which it signifies an increase in our willingness to engage in a desperate denial of unpleasant truths—that for the purposes of this sequel to *Brown v. the Board,* the judge has disallowed a conversation about race. ●

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A Thought Experiment for the Left

Mitchell Cohen

Here is a thought experiment for the left. It requires a bit of historical imagination, something for which the left is known. Its political implications are weighty. So weighty, I think, that the answer—your answer, Comrade Reader—to the question I pose at its end might well reveal if you can say to fellow citizens that you have the wherewithal to hold political power on their behalf (yes, I assume representative democracy, for all its flaws).

Imagine that you have become president of the United States in a particular set of circumstances. Let's call these circumstances the Historical Original Position, or HOP for short. HOP situates you in the Year of Our Relativity, 1981. As I construct it, you will perceive readily that HOP entails fantasy as well as events that occurred that year and before. In fact, the more you know about those pre-1981 events, the better. Later, when you step into the HOP, I will ask you to drop a veil over your memory for the sake of my argument. I will ask you to pretend that you are ignorant of all post-1981 history. Forgive me if I do not entirely do so. For the sake of our purposes here, I must integrate into my design some hints, just a few, about later decades.[1] I think—hope—it will make sense since we are all reasonable historical creatures.

So here's the HOP. Due to an unexpected constellation of events, an insurgent movement called Democratic Equality wrests the Democratic presidential nomination from Jimmy Carter in 1980. You replace him. Let's give "you" a persona: you are Eugenia Norma Harrington, a distinguished civil rights attorney, long an eloquent advocate of social and economic fairness in America. You assemble a broad center-left political coalition against the Republican nominee, Ronald Reagan. Remarkably, you win the election and become the country's first woman—and first truly left-wing—president. The Democrats sweep both houses.

Reagan heads back west in a wagon train (he aims to live out his days encouraging Republican movie stars to act as if they are suitable for public office). Jimmy Carter seeks to be an effective ex-president, leading observers to suggest that he should have sought this job in the first place. Walter Mondale joins the new cabinet as secretary of the treasury. You have appointed him—the "centrist" on your team—to reinforce the coalition that enabled you to defeat Reagan. You ignore sniping that his appointment turns your administration into "a grotesque sellout to the priorities of the ruling class." (See Alexander Cockburn, "Stooges Yet Again: You can always tell an objective social democrat," in the *Nation*, November 32, 1980.)

In fact, you assemble a first-rate cabinet. Almost all its members read—and some even write for —*Dissent*. As might be expected, you place great emphasis on social and economic policy. "By the end of my presidency," you declared in the campaign, "markets will serve human needs, not vice versa. By the end of my presidency, we will have health insurance that is friendly to the sick, instead of to insurance companies. We will have an energy program that is friendly to the environment and not to the priorities of oil companies and Mideast potentates. By the end of my presidency, labor law will be reformed in order to bolster trade union organizing." (The AFL-CIO's leader protests this last point: "Why get distracted from anticommunism?"). You initiate a domestic agenda that combines investments in education and job training with affirmative action to address poverty and racism in the country.

Fortunately, those Iranian students freed

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the American hostages in Tehran on the day of your inauguration. That makes things a little easier as you order a general review of foreign policy. "Let's put real heat on South Africa and also on that SOB Pinochet," you say to your secretary of state. "And let's bolster the Solidarity movement in Poland. It's had a rough time, fighting the Communist Party's 'revolutionary consciousness' with 'trade union consciousness.'"

An Economic Security Council and More

Even though you are known for your domestic concerns, you have thought a lot about international affairs, especially the gap between the Northern and Southern Hemispheres. You ask the secretary of state to draw up plans for a new Economic Security Council (ESC) at the UN, an idea you've liked ever since you read Michael Harrington's *The Vast Majority*. The ESC will war against global poverty and illiteracy. One of its chief tasks will be to find ways to counter-balance the power of multinational corporations and financial institutions. "No global five year plans," you advise the secretary, "but real programs that will subordinate global markets to global social decency."

"Thatcher will howl."

"Then we'll be doing the right thing," you reply, "Why don't we see if we can get Willy Brandt's input? Speak to our friends in the Swedish Social Democratic Party. Most important, have some long conversations and then ongoing consultations with democratic socialists and trade unionists in Latin America, Africa, the Mideast, and Asia."

You and your secretary of state agree on the importance of designing the ESC so as to avoid past UN failures. The ESC must be structured so that it cannot be turned into an arena for cold war rivalries or a means to sustain third world dictators or promote the third worldist fantasies of intellectuals who sup with those dictators or serve as yet another forum for yet another resolution about "the Question of Palestine."

Why do some people think third world tyrants are liberators?, you wonder. Just because they spout left-wing words and denounce imperialism? Saddam Hussein, Iraq's ruling thug, who invaded Iran a few months back, gave a speech recently in which he declared, "Socialism does not mean the equal distribution of wealth between the deprived poor and the exploiting rich; this would be too inflexible. Socialism is a means to raise and improve productivity."[2] Socialism? Sounds like National Socialism.

Over the years you have come to suspect that ideological "third worldism," which once moved you deeply—for all the right reasons, because you despise imperialism—is often quite bad for people living in the third world. It does seem to get people jobs, indeed even tenured jobs, but mostly in the first world. And you want the ESC to help the poor, to feed *them*, to empower *them*.

You are especially concerned about the long-term impact of American power in the world. Even though the country is still reeling from its disastrous war in Vietnam and seems weakened also by your predecessor's botched policies in Iran and Nicaragua, you know that only wishful thinking—sometimes Soviet, sometimes French, sometimes just naïve leftist—will make America's global role dissipate. Actually, you think that Soviet power may decline. Some of your friends are amazed when you say this, but you reason that a gerontocracy can fashion the future for just so long. Moreover, you have been talking to people who study Russia through its complex history rather than by a mechanical application of the theory of totalitarianism. So you doubt if America's rival is shaped solely by—or frozen in—an idea.

Perhaps the United States should be prepared for big changes in Moscow a few years hence. You recently read an article in which a neoconservative academic, who was thought to have had a future in a Reagan administration, distinguished totalitarian regimes from authoritarian ones. The former are fixed forever because ideology remakes every nook and cranny and brain cell in them while that doesn't happen in the latter. (See Jeane J. Kirkpatrick, "Why Totalitarianism is Objectively Undemocratic but Authoritarianism is Subjectively Liberal," *Commentary*, Thermidor, 1979.) You wonder how this professor would explain post-Mao China. There is movement there—is it move-

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ment from totalitarianism to authoritarianism? Perhaps "totalitarianism" shouldn't provide a totalizing explanation of the country in the first place. Best not to mistake a design, however grand, for reality, and then divide the world according to who fits it.

Then there is the Mideast. It is also in the HOP. Nineteen seventy-nine created a dramatically new era there because of the Egypt-Israel treaty and the Iranian revolution. The impact of these events is not yet fully clear. Then there is civil war in Lebanon and, moving east, the Soviet invasion of Afghanistan. As it happens, you were looking through a file on the Arab-Israeli conflict that morning. "Well, at least something went right in the region, the Israel-Egypt peace. At least, we can give Carter some credit," you remark.

"That's true," responds the secretary of state, "but only some. Remember that he initially had a completely mistaken strategic concept for the region—one that many of our European friends applauded. He wanted an international conference under joint U.S.-Soviet auspices to push a 'Comprehensive Settlement' of all Arab-Israeli problems in one quick swoop.

"Sadat understood that this had to fail, and that is why he is the real strategic hero. He understood how that sort of conference would have rendered Egyptian flexibility hostage to Syria's extremist posturing, to its macho nationalism. It would have also been hostage to the ambitions of Syria's patron. Moscow wanted to reassert itself after its military advisers were thrown out of Egypt in '72 and it was sidelined by Kissinger's 'step by step' diplomacy following the '73 war. Sadat thought that if he could cut a deal with the Israelis, it might be a real step toward solving other issues and encourage other Israeli compromises.

"That's why he accepted the idea of Palestinian 'autonomy,' rather than demanding immediate Palestinian statehood," continues the secretary, "It was not just because he wanted a separate peace, like half the Arab world charged, but because it opened a way to a next step. It's worth noting that Rabin, who was Israeli prime minister when Carter came into office and who said back then that he didn't care if he had to visit the West Bank with a passport, also resisted Carter's international conference idea. Like Sadat, he thought that it would create negotiating conditions in which nobody could bend. The first thing Sadat's trip to Jerusalem did was to subvert Carter's approach. It was direct negotiations that finally produced something—an end to three decades of war between two countries. Carter's role at Camp David was then truly impressive, even heroic, yet only after he yielded to political reality."

"It is amazing," you observe to the secretary, "that an old fanatic like Menachem Begin agreed to a total Israeli pull-back from Sinai. Who would have believed that when he defeated the Labor Party in the 1977 elections? Still, the peace treaty would never have passed the Israeli Parliament without Labor's support—too much of Likud opposed it. And we are still left with the West Bank settlements and the Palestinian issue."

"True," says the secretary, "but the Israelis are pulling out of Sinai, and that is a valuable precedent. Even belligerent Ariel Sharon, champion of the Sinai settlements, called Begin during the negotiations at Camp David to say he'd yield them for a peace treaty.[3] It will be interesting to see if Sharon actually takes charge of tearing them down. I've always sensed that this fellow is unusually brutal and mendacious, but that cuts two ways; he can also betray his own constituents, the folks who rallied to him for saying he'd make no concessions."

"Hard to tell," you say, "In the meantime, Begin is running for reelection and Sharon could be defense minister. What if we linked U.S. aid to both West Bank settlements and terrorism? For every Israeli settler who crosses the '67 borders, we deduct some aid money to Israel, and for every Palestinian terror bombing, we restore it. That would squeeze 'em both."

"Won't American Jewish leaders yell?"

"Perhaps, if they are not too busy having their pictures taken with Begin. In the meantime, we need to start worrying about the situation in Lebanon. It is unsettling, and one just never knows what sort of stunt Arafat could pull next. Whenever he is unhappy with developments, he throws everything into the air and hopes the Europeans will save him. What

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could be worse than a brawl in Lebanon with Arafat leading the Palestinians and Sharon as Israeli defense minister?"

"Arafat versus Sharon as prime minister."

"There's a nightmare for you. What do you think we should do about Arafat?," you wonder out loud. "He rejected Camp David, embraced Khomeini, presents no proposals except 'Give me what I demand.' Many of our European friends say, 'Give him a chance.' I wonder if they haven't made a myth of him. Did you ever read the interview of Arafat by Oriana Fallaci back in '72? She went in as a left-winger ready to be sympathetic to a third world hero. She left disillusioned. I have it over here. Arafat says to her, 'The end of Israel is the goal of our struggle and it allows for neither compromise nor mediation . . . revolutionary violence is the only system for liberating the land of our fathers . . . The purpose of this violence is to liquidate Zionism. . . .We don't want peace. We want war, victory. Peace for us means the destruction of Israel and nothing else.'"

"And read this," you add, "Arafat is supposed to be a Palestinian nationalist leader, but he insists here that 'From an Arab point of view, one doesn't speak of borders; Palestine is a small drop in the great Arabic ocean. And our nation is the Arab one; it is a nation extending from the Atlantic to the Red Sea and beyond.' He is being interviewed in Jordan and he insists they are in Palestine, that Jordan is Palestine. Doesn't Sharon say that? Arafat says that 'there is no difference between Palestinians and Egyptians. Both are part of the Arab nation.' So he agrees with Golda Meir that there are no Palestinians? Look at how he speaks about terrorism. Fallaci says to him that PLO bombings kill civilians, and Arafat replies, 'civilians or military, they're all equally guilty of wanting to destroy my people . . . civilians are the first accomplices of the gang that rules Israel.' Imagine, he says this just months before the massacre at the Munich Olympics. Fallaci asks him if he respects his foes, and he says 'As fighters, and even as strategists . . . sometimes yes. . . . But as persons no.' You must concede that Israelis are brave soldiers, says the interviewer. 'No! No! No!,' replies Arafat, 'No they're not! . . . They're too afraid of dying.' He declares, 'Losses to us don't count, we don't care if we die.'[4] This guy will drive his people off a cliff while insisting he knows the one route to freedom. Shouldn't this guy have to take a driver's test before they give him diplomatic license? And then be given constant retesting?"

"Our European friends say he changed with his UN speech in '74," comments the secretary, "Nixon went to China. Sadat went to Jerusalem."

"But *Voice of Palestine* reported on July 7, 1979, that after meeting with Austrian chancellor Bruno Kreisky, 'Brother Abu Ammar [Arafat's *nom de guerre*—EDS.] reiterated the PLO's refusal to hold any dialogue with the leaders of the Zionist entity.' According to Tehran television on August 1, 1979, Arafat sent a telegram to Khomeini declaring, 'We will continue on the path of *jihad* and sacrifice until God almighty bestows final victory on us.' And PARS, Tehran's domestic news service, reported on August 6, 1979, that Arafat sent a telegram to Iran's foreign minister declaring, 'The nation of Palestine and the Arabs support the holy Islamic revolution in Iran and are determined to continue their fight and armed confrontation to recapture Palestine and free the Holy-land from the claws of the Zionists.' Our European friends seem to take Arafat at his word to them while ignoring the rest of his sentences.

"A lot of Israeli policy is bad," you continue. "Still, Israelis would be idiots to disregard this relentless rhetoric. On the other hand, the Israelis can defend themselves with their army and that doesn't require Jewish Khomeinis in West Bank settlements and Gaza. We need to distinguish support of Israel from backing deluded right-wing policies, just as we must distinguish Palestinian suffering from Arafat's appalling leadership. It seems to me that our Mideast policies should seek to consolidate the Israeli-Egyptian peace process, find ways to temper the Israeli-Palestinian struggle, and we must keep a sharp eye on Lebanon."

Complications

Then the secretary of state says, "There is another matter—the Persian Gulf and the Iran-Iraq War. Ever since Saddam attacked Khomeini's regime last September the area has

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suffered enormous carnage, massive misery, and high death tolls. Tehran has declared that it will fight back until there is a regime change in Baghdad. 'God wants us to share, together with the nation of Iraq, in the honor of toppling Saddam and his executioner regime,' declared Iran's prime minister, Ali Raja'i. 'The war against Iran is a war against Islam,' declared Ayatollah Khomeini himself. Khomeini, who was expelled in October 1978 from Najaf, Iraq, where he was a refugee from the shah [He then went to France.—Eds.], also denounced Saddam as a 'Zionist.' Why else would Saddam attack Iran? No, it is Khomeini who is really the 'Zionist,' Saddam riposted. Also, Syria's dictator, Hafez al-Assad, who backed Iran against Iraq, he, too, is a closet 'Zionist,' says Saddam. At least these two Supreme Leaders, Saddam and Khomeini, agree on something, the vast influence of Zionists.

"In fact, Saddam completely misread his enemy. He believed internal struggles had so weakened Khomeini's regime that it would simply fall apart as Iraq's army advanced. Saddam's illusion may have been encouraged by evaluations he received from Iranian exiles who fled to Baghdad after Khomeini's revolution. But the Iraqi invasion helped the new Iranian regime to consolidate instead. Saddam, already Iraq's strongman for some years, consolidated his own power in July 1979, a month after he officially became Iraqi president, by executing a third of the Baath Party's leadership.

"Saddam thought he could outsmart everyone," the secretary of state continues, as he hands you more papers, "and he outsmarted himself. Despite his initial battlefield success, he found himself in a military deadlock by late November 1980, not long after you defeated Reagan. Iran has now launched a massive counterattack. The situation is even trickier because the French have been helping Saddam to build a nuclear reactor. What is with that fellow Chirac? He seems to have been infatuated by Saddam, fantasizing that this dictator is a Napoleon-Nasser-de Gaulle. Because French Socialists gave the Israelis nuclear technology in the fifties, Chirac the right-winger wanted to correct this 'strategic error' in the 1970s by giving nuclear technology to Saddam.[5] I heard that some wit renamed Iraq's Osirak nuclear site 'Ochirac.' "

"Fortunately, Chirac is no longer prime minister," you respond to the secretary, "now that our friend Mitterrand won the presidential election and there is a socialist government in Paris. I hope its grasp of the consequences of these sorts of policies is more astute. And let's make sure ours is astute too and pay special attention to developments in this region."

More Complications

So that provides part of the HOP into which you, Comrade Reader, will have to step when you make your decision as president of the United States. Imagine that these preceding conversations occurred in late May 1981, a few months after you moved into the White House. Let's now go forward to December of the same year. And please remember that the veil has dropped over you and you know nothing of what happens in the world after that month's end.

There have been Iranian offensives and victories. Saddam's army is in deep trouble. Soon his regime may be too. In late September, after a rout of the Iraqis, there were fevered, celebratory speeches in the Iranian parliament, the Majlis. Allah's hand has been revealed though Iran's triumphs. The Iranians dealt the Iraqis more blows by early December and severed crucial communications and logistical ties among Iraqi forces.[6] In the meantime, the war has made it impossible for Iraq to use the Gulf for oil exports, and Baghdad is dangerously dependent on a pipeline through Syria—Iran's ally and Iraq's rival. Foreign exchange reserves have plummeted, and Baghdad will have to impose economic austerity soon.

According to intelligence reports, one of Iran's next campaigns will be called "Operation al-Quds," that is, "the Holy"—the Arabic word for Jerusalem. Khomeini is proclaiming that the march to Baghdad will lead eventually to Jerusalem. Even if this is just propaganda, it makes the Jordanians nervous, because their kingdom, which backs Iraq, is the most plausible path there. And Khomeini could well send holy warriors on a detour through Kuwait and Saudi Arabia.

It is very worrisome. You call up the national

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security adviser, and secretaries of state and defense and tell them you want to meet by the week's end to consider policy options. Then you riffle through a background file assembled by your national security adviser, who also provided a "General Assessment." It reads:

> These two lands have a long, difficult history between them. The immediate source of conflict is a return to old quarrels, partly over the Shatt al-Arab, a waterway into the Gulf. It is the border between the two countries for some of its route. The Algiers Accord of 1975 supposedly settled this matter, but Saddam agreed to it under pressure because of the shah's support of Kurdish rebels. Once the agreement was signed and the shah withdrew support, the Kurdish struggle for national liberation collapsed. In the aftermath tens of thousands of Kurds were "transferred" by Saddam out of their homelands. Then Saddam got busy repressing Iraqi communists, throwing away the "National Action Charter" signed by the Baath with them in 1973. Hard to tell the greater danger: reaching an agreement with Saddam or not reaching an agreement with him.
>
> The United States is on the outs with both Tehran and Baghdad. The Soviets have been Iraq's main arms supplier since 1958, but Baghdad sought to diversify its sources in the 1970s. It bought more and more from France, which became its second major weapons supplier—about 40 percent of Iraq's arms—by the time of the attack on Iran. In the 1970s France emerged as the third biggest exporter of arms to the Third World. Obviously, this is tied to sustaining huge investments in its domestic arms industry. All this is part of Paris's assertion of military independence after quitting NATO's joint command. France has been selling Iraq very advanced weapons and Mitterrand has made it clear that this will continue. Still, he, like everyone else must have been secretly relieved when Israel bombed Iraq's nuclear site last summer.
>
> Baghdad's turn to Paris seems to have been prescient. Moscow is angry at Saddam for attacking Iran without the consultations Baghdad promised in the Iraqi-Soviet Friendship Treaty of 1972. The Soviets held back military supplies at the beginning of the war, but are preparing to deliver again. The Soviets and the French are attempting balancing acts between Iran and Iraq, seeking to extend sway in countries at war with each other. France's investment in Iraq grows by leaps and bounds, much to Iran's chagrin. Reliable sources report that Iraq is buying British medical kits—10,000 of them—that are apparently for workers in chemical weapons factories. Iraq is importing howitzers from South Africa, cluster bombs from Chile, and weapons from Argentina's junta.
>
> The regional context makes matters more jittery. Islamic extremists assassinated Sadat just two months ago. The TV news shows the assassins and their collaborators behind bars screaming fundamentalist slogans. One of them, Ayman al-Zawahiri, the founder of Egyptian Islamic Jihad who studied at the American University of Cairo, seems especially fanatical, railing and ranting against infidels and traitors, Americans, and Zionists, hailing Sadat's murder. Wouldn't want him out of jail. Islamic fundamentalists seem to be on a roll—Sunnis as well as Shiites, for all the antagonisms between them. The momentum and self-confidence of each reinforces the other.
>
> Sadat made a big mistake when he relaxed restraints on the Muslim Brothers and their ilk after Nasser died. He wanted them to counterbalance pro-Soviet factions in Egypt, but he did this just as the Saudis, flush with petrodollars, were investing in Wahhabi fundamentalism everywhere. Can you ever re-control decontrolled fundamentalists who believe the future is theirs? The United States is fiddling with jihadists too, thinking they may be useful against the Soviets in Afghanistan. Last year, Brzezinski gave a speech on the Afghan border to anti-Soviet *Mujahideen* in which he urged, "This is your God-given country. Go and liberate it in a Holy War against the godless Communists."[7] Better think twice about this. There are also a number of reports of fundamentalist stirrings in Syria, especially in the town of Hama. If there is a regime able to handle the Muslim Brothers, it is Syria. It will simply dispatch them, no questions asked, and there will be no condemnatory resolutions passed by the UN or the Arab League. (They are usually too busy condemning Israel for something real or something imaginary.)
>
> Then there is Lebanon, where a transformation is also underway. The Shiites, who make up some 40 percent of the population,

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its most deprived sector, have mobilized. They are clashing constantly with the PLO mini-state that was established in southern Lebanon after Arafat was expelled from Jordan. The Lebanese confessional system was stacked against the Shiites, but now, in the midst of civil war, they are demanding their due as never before thanks partly to the leadership of a charismatic religious leader, Iranian born Musa al-Sadr. He died under bizarre circumstances after a trip to Libya in 1978. (Qadaffi claims al-Sadr boarded a return flight, but he wasn't on it when the plane arrived in Lebanon; nobody ever found him.) So he became a galvanizing myth, and then just after his disappearance, the Iranian revolution energized Lebanese Shiites even more.

In short, the Mideast presents its usual tumultuous picture, you think. Lebanon is fractured, but everywhere else there seem to be authoritarian nationalist regimes on one hand and civil societies in which religious fundamentalists are emerging as the most vigorous component on the other. And things are becoming more and more precarious because of the Iran-Iraq War. A miserable regime may defeat a wretched one. Now you, as president, must make a choice. You meet your national security adviser and your secretaries of state and defense in the Oval Office.

What to Do?

The national security adviser begins: "The United States has pursued some ill-conceived policies and has had some bad luck in this area. There are a few key issues, all linked: What are the consequences if we do nothing? What influence do we have? Can we achieve anything positive? Do we have some overriding interest in sticking our nose in just now? We already have a recession at home that has been helped along significantly by the oil crisis following Khomeini's rise. But the immediate, very big question is this: If Khomeini, who is devoted to spreading his Islamic revolution, marches to Baghdad and a swell of triumphalist fanaticism rises mightily throughout the region, what then?"

"What is our latest evaluation of Khomeini?," you ask. "And what of left opinion? After all, the hostages were released after we won the election. As I recall, some prominent American intellectuals, not just Foucault in France, thought highly of him."

"That's right," says the national security adviser, "did you read in the file I prepared that *New York Times* op-ed piece from February 1979 by Richard Falk, the professor of international law at Princeton? He visited Khomeini in France. His article complained that the ayatollah was maligned when Carter and Brzezinski 'until recently associated him with religious fanaticism.' Falk protests that 'The news media have defamed him in many ways, associating him with efforts to turn the clock back 1,300 years, with virulent anti-Semitism, and with a new political disorder, "theocratic fascism" about to be set loose on the world.' He explains to readers that Khomeini 'indicated' that non-religious leftists would be able to participate fully in an Islamic republic and that 'to suppose that Ayatollah Khomeini is dissembling seems almost beyond belief.' He adds that 'the depiction of him as fanatical, reactionary, and the bearer of crude prejudices seems certainly and happily false.'[8]

"The article is entitled 'Trusting Khomeini,'" you note. "I hope he doesn't write on 'Trusting Arafat' to convince Israelis to make concessions to the Palestinians. People will run into Sharon's arms after reading it."

"There's more," says the national security adviser. "Anthony Lewis then wrote a *Times* column chastising Falk for 'trusting in illusions'—things were getting increasingly repressive in Khomeini's Iran—and Falk insists that 'to single out Iran for criticism at this point is to lend support to that fashionable falsehood, embraced by Mr. Lewis, that what has happened in Iran is the replacement of one tyranny by another.'"[9]

"Well, I don't think we'll consult him," you comment. "For starters, I don't intend to wear a veil myself. The reasoning reminds me a little too much of intellectuals who 'understood' Stalin—in contrast to the bourgeois idiots. We need a left foreign policy that is free, really free, of cognitive dissonance." You turn to the secretary of defense and ask him to assess the impact of the Iranian revolution on the Iraqi military.

"It's hard to say," the secretary, responds.

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"Intelligence here is always difficult. Sixty percent of Iraq is Shiite. While they are not all of a stripe, and while they tend to be Iraqi nationalists—Iraq's ground troops in the war are heavily Shiite—they are also not so pleased by Saddam, whose Baath power base is mainly Sunni and tribal. Still, imagine Shiite fundamentalist regimes in Tehran and Baghdad concurrent with a fascist regime in Damascus, energized Shiism in Lebanon, and invigorated Sunni fundamentalism in an uncertain, post-Sadat Egypt.

"No intelligent person, no matter how anti-imperialist, however much he despises Western oil companies, can imagine that it would be good for religious fanatics and their allies to control this region of the world, not to mention the West's oil supply—just as no intelligent person could be happy about Saddam marching into Tehran, with his fascist regime asserting control over oil and the Gulf on behalf of a pan-Arab chauvinism. Even if one argued—it is a legitimate claim—that we are imperious outsiders, especially given our past support for the shah, that brutal megalomaniac, the consequences would be dreadful. But right now, it looks more likely that Khomeini could win."

"Problem is," says the secretary of state, "our influence is at a nadir. U.S. policy in the seventies was based on 'two pillars,' both of them conservative, dominating the Gulf—Tehran and Riyadh. Now those reactionary Saudis are petrified and Tehran is utterly hostile to us. Relations between the United States and Iraq were broken in 1967, in the aftermath of the Arab-Israeli war. We began some trade again in the mid-1970s, and it increased in late '79. We have some presence in Baghdad through our interests section in the Belgian embassy. We are getting conciliatory signals from Saddam. He is running scared, very scared. And we have received a quiet message from Mitterrand: 'Saddam must not fall.' He isn't saying that merely because of French investments in Iraq. He sees the dire consequences, long and short term, of a Khomeini sweep. So the crucial question is, should we tilt to Iraq? Or rather, what if we don't?"

The national security adviser asks, "What are the alternatives? A UN resolution? A UN-coordinated oil embargo against both sides? It'll never work. Moscow and Paris are too invested. Besides, there isn't much reason to have faith in the UN when it comes to this part of the world. Look at what it did during the crisis before the '67 Arab-Israeli War. Nasser mobilized his army, demanded removal of UN Emergency Forces that served as the buffer between Egypt and Israel for a decade, and next thing you know, the UNEF is on the way out. UN Secretary General U Thant stuck to international legalisms and the result was war. Anyway, nobody who has paid attention to Khomeini or Saddam can believe that either will knuckle under an embargo, not to mention the demands of international law or the UN. We need a policy that won't help the UN shoot its own foot.

"Still, we'd better deliberate hard about a 'tilt' to someone like Saddam. If we help him too much, he'll become the danger, almost certainly. And we don't want to give him the wrong help. Think of his pursuit of nuclear power and those British medical kits he imported. One easily imagines him deploying the worst weapons against his neighbors and his own population. He is atrocity incarnate. Remember, he launched this war."

"Moreover," you interject, "ours is supposed to be a foreign policy of the left. That is a matter of our values, but also of politics. If we botch this, if we show the American people that the left cannot conduct foreign policy, then we can expect Reagan's wagon train to turn around.

"Can a foreign policy of the left tilt to a regime like Saddam's? Hard to justify, even if it only means that we will give him satellite intelligence and carefully gauged arms assistance. I must say that the very need to make this decision irks me. Were we out of government, we would probably be writing articles for *Dissent* saying that the problem is the overall direction of American foreign policy. Except we won the election, and we already reoriented policy with the long term in mind.

"We cannot make decisions in government as if we were out of government. We cannot invent choices that are comfortable to us and then choose between them. How can we find some practical equilibrium between our left-

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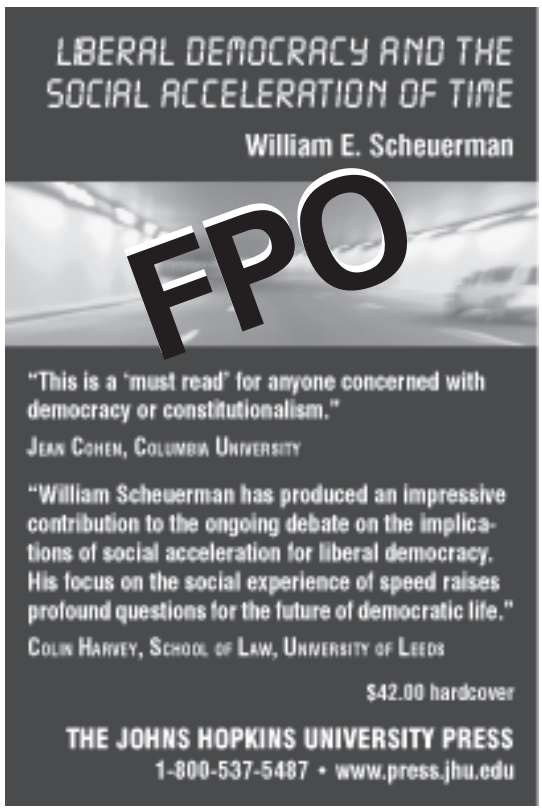
wing values and the intransigent realities of the world out there—like the consequence of the aggressive ambitions of either a fascist dictator or a 'fanatical, reactionary, and the bearer of crude prejudices,' to quote Falk. Regardless of what we do, neither Saddam nor Khomeini is likely to function in ways that are wholly rational and predictable. Can we minimize the maximum damage each might do? If we do nothing, if we don't 'tilt' to Saddam, the regional and then global consequences are likely to be catastrophic. Military intelligence makes it clear that the hour is very late. If we do tilt to him, our hands become very dirty, and a lot of the consequences are unpredictable."

You light a cigarette. You quit smoking years back, but you've been cheating in recent days as you contemplate the decision you might have to make. You inhale deeply and say, "Here is what I think we must do. . ."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And here is where I will ask you, *Dissent* reader, to recall that you are supposed to imagine yourself to be Eugenia Norma Harrington, the fortieth president of the United States, in this Historical Original Position. The veil you wear is not one of Khomeini's choosing, but a historical one: you don't know any post-1981 history. You may ask what I would do were I the president. I do have a view about this—one that I don't like. But because I am the architect of this thought experiment, I won't say. I will step back (I hear that I am not the first grand designer to do this), and ask you, Madame President: will you tilt to Iraq? ●

MITCHELL COHEN is co-editor of *Dissent*.

1. Think of it as condensing events and details for realistic dramatic purpose, although not quite as freely as in, say, a Michael Moore film. If I allow myself these liberties, please remember that the grand design is mine, I have invited you into my thought experiment and presumably, if you are still reading this, you accepted. My real inspiration, however, is a comment by the young Georg Lukács. He once praised Plato as an "essayist" because the Greek philosopher, in his dialogues, made Socrates into a vehicle for his own questions. See "On the Nature and Form of the Essay," in Georg Lukács, *Soul and Forms* (London: Merlin Press, 1974), p. 13. My apologies, however, to John Rawls.

2. Saddam, quoted from a 1980 speech in Committee against Repression and for Democratic Rights in Iraq (CADRI), *Saddam's Iraq* (London: Zed Books, 1989), p. 104.

3. William B. Quandt, *Camp David: Peace Making and Politics* (Washington, D.C.: Brookings Institution, 1988, p. 241.

4. "Yasir Arafat," in Oriana Fallaci, *Interview with History* (New York: Liveright, 1976), pp. 130-35.

5. See Ahmed Youssef, *L'Orient de Jacques Chirac: La politique Arabe de la France* (Paris: Éditions du Rocher, 2003), pp. 115-117.

6. For some details I have drawn from Stephen R. Grummon, *The Iran-Iraq War: Islam Embattled* (New York/Washington: Praeger/Georgetown Center for Strategic and International Studies, 1982), esp. pp. 26-30.

7. Shlomo Avineri, "Lonely at the Top," *Haaretz*, May 21, 2004.

8. Richard Falk, "Trusting Khomeini," *New York Times*, February 16, 1979.

9. Richard Falk, "In Iran, a 'Balance of Hopeful Signs'" (Letter to the Editor) *New York Times*, March 28, 1979.

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Health Care: What Ought to be Done?

Ted Marmor

How should Democrats think about health care reform now? And what should Democrats do about it? The simplicity with which one can pose such questions is misleading. Health care reform is a topic marked by much ideological cant, ferocious interest group lobbying, and the difficulty of finding common ground even among apparently like-minded Democrats.

A good starting point would be for Democrats to reject, rather than adopt and adapt, the language with which and the moral framework within which most Republicans typically address health care reform.

The Democratic reform of American medical care should aim at making it much more likely that people can get the care they need and not face financial ruin as a consequence. We have been struggling with this nest of problems since the Second World War. Forty-five million Americans live without that assurance on any given day, but between sixty and seventy million Americans face a period of being without insurance in any two-year period. And that calculation leaves out entirely the problem of insurance coverage that excludes chronic conditions.

All this takes place in a nation that spends much more on health care, by any measure, than any other nation ever has. The rapid inflation in medical costs of the past few years continues unabated. Tens of millions of uninsured or underinsured live in physical and financial jeopardy; they incur more serious illnesses, more losses of function, and more pain than they would with adequate and timely care; and their lives are being unnecessarily shortened.

Democratic political leaders should make it clear that health care reform is not an empty abstraction, and that it most certainly is not just a debating point for the fall election or a "wedge issue." As a substantive matter, but also as a political one, Democrats need to make the reform of American health care policy a cause that distinguishes the parties.

Over the past decade, and during the current administration, Republican rhetoric about health care policy has been morally pallid, managerialist in its language, and economistic in its presumptions. Republicans profess to be consumed with "perfecting" the market for health care and with encouraging efficiency and patient choice by deploying incentives and rewards, and, by the way, only rarely are they concerned with penalties. Readers of Bruce Vladeck's commentary in this issue on the Medicare "reform" bill of 2003 will see the most recent evidence of the Bush administration's intentions: to attack Medicare's social insurance roots. But those intentions have a history; they go back decades, though they were often expressed in code.

In the 1970s, the celebrations of health maintenance organizations (HMOs) were for Richard Nixon's administration a way to harness "incentives" by internalizing the costs of medical care within the very organization that delivered the care itself. In the 1980s, policy analysts of all stripes found in diagnostic-related group reimbursement (DRGs) a payment method that seemed, again, to harness market signals to social gain. And, with the Clinton administration's endorsement of what it called "managed competition," metaphoric confusion reigned. Only a world trying to use marketing hyperbole and business management would ever embrace "managed competition" as a political aspiration.

The reform of American medicine should focus on protecting American medical care from delusionary policies, not on perfecting the

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market. Democratic leaders should remind voters that no nation has achieved universal coverage by tweaking its health care market. (And no serious health care economist believes that the American health care market is just a couple of tweaks—say, a targeted tax credit and computerized prescription ordering—away from perfect competition anyway.)

In short, Democrats should start with the premise that Republican premises are wrong. Liberals should be dismayed by how many Democratic politicians in this election year have been speaking in the language of market efficiency, "consumer choice," and economic incentives. We should be dismayed as well by the fact that their embrace of the Republican vocabulary has been reflected in too many of their proposals.

Reformers should also be disappointed by the willingness of so many Democrats to disavow—or not to avow, which is pretty much the same thing—the achievement of universal coverage as the central animating principle of health care reform. This is so even if today's fiscal and political realities put that goal beyond the grasp of a Democratic administration in 2005. It is not just happenstance that from Bill Clinton to Al Gore to this year's primaries, the health care proposals of Democratic presidential candidates have been decreasingly ambitious in their scope, even as the numbers of Americans without any health coverage climbs. Democrats should be willing to speak for all the uninsured (and the potentially uninsured) even if the immediate challenge, as Vladeck and I argue, is to protect Medicare from debasement of its social insurance core.

Democrats should lead with their hearts on health care, but plan with their heads. Democratic political leaders at all levels should deal resolutely with our problems of cost, quality, confusion, and disorganization. That commitment need not imply inflexibility about methods and strategies; we have to begin by acknowledging the fiscal constraints on any election year proposal. What is worth fighting for now depends both on what is wrong and whether one is in a position to do anything much about it.

So What Are Democrats to Do?

During the presidential primary season, all the Democratic contenders issued health care reform plans of varying breadth and depth. Three candidates—Dennis Kucinich, Carol Moseley-Braun, and Al Sharpton—called for the establishment of a single-payer health care system modeled loosely on Canada's. With the exception of Richard Gephardt, who included an employer mandate (and generous federal subsidies to employers, which drove up the price of his plan and allowed other candidates to underbid him and claim efficiency), the other candidates proffered combinations or expansions of existing programs (such as Medicaid and the State Children's Health Insurance Program (S-CHIP)); tax credits; and the creation of new purchasing pools, modeled on or extrapolated from the Federal Employee Health Benefits Plan (FEHBP). Again with the exception of Gephardt's proposal, these other packages were projected, by outside analysts and the campaigns themselves, to extend coverage to between 50 percent and 75 percent of the uninsured. The official estimate from John Kerry's campaign is that his plan, in its current incarnation, would cover about twenty-seven million of the currently uninsured.

Broadly speaking, there are three major options for Democrats to consider in the near term. I will briefly discuss the logic and merits of each. Then, I want to sketch a range of alternative political scenarios and examine their potential implications for Democratic political strategies after the election.

A. *The Federalist Option* Democratic reformers could consider developing legislation that would not establish a single national plan for coverage—that would instead permit states to organize their own arrangements for health care and would make federal subsidies available to help them assure universal coverage and broad benefits to those within their boundaries. This federalist option could make it possible to unify advocates of reform who agree on the goal of universal coverage, but who disagree on which plan should be adopted to reach that goal.

The lack of consensus among reformers over which model of national health insurance the United States should adopt and the fail-

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ure to enact legislation have obscured the extent to which so many reformers favor the same goals: universal insurance coverage, moderating the rising costs of care, and the reform of the pathologies of private health insurance. Although no single proposal for health care reform has attracted a legislative majority, during the early 1970s and the early 1990s there were arguably congressional majorities prepared to support these fundamental principles. In both periods, national reform was stymied more by disagreement over means than over ends.

If the federalist option were pursued, perhaps this deadlock could be broken. Congress would enact legislation offering financial support to all states that establish health care plans that meet federally defined standards. To receive federal subsidies, states would be required to guarantee universal coverage, comprehensive benefits, administrative accountability, fiscal viability (including cost containment), and portability (that is, recognition of coverage provided by other states). States could choose to meet these standards by implementing any one of a variety of different models for reform, ranging from single-payer systems to plans calling for competition among privately administered HMOs.

B. *The Pincer Strategy* Another option would be to build on existing public programs in order to move the United States closer to universal coverage—by, for example, extending eligibility and enrollment for such public programs as Medicaid, S-CHIP, and extending the reach of Medicare. In addition to broadening these programs to encompass additional age or income groups, legislation could make available refundable tax credits to employers to subsidize the provision of coverage to employees and their families. This option for reform would not entail the creation, nationally or within states, of new systems to finance or deliver care. It would be a more incremental approach than the federalist option described above. It is worth emphasizing that the pincer option—as advanced (although not under that rubric) by many of the Democratic presidential candidates this year, including Senator Kerry—differs from the incrementalism pursued by many Democrats in Congress over the past decade in that it envisions the passage all at once of a substantial package of reforms, not a sequence of separately enacted adjustments.

A pincer strategy could generate substantial reductions in the proportion of Americans without health coverage. Because this approach would incorporate many of the uninsured into existing programs and insurance arrangements, it would not require extensive (and perhaps expensive) administrative innovation to accommodate and finance coverage of newly insured population groups. For example, one could imagine a plan to extend Medicare downward in age, making all those fifty-five and older eligible for it. This would address some but not all of the problems of the difficult-to-insure. A pincer strategy would neither alter nor threaten the arrangements of those who are already insured.

C. *Single-Payer Plans* A third major option for Democratic reformers is the category of initiatives conventionally referred to as "single-payer" plans. This has been the model of choice for many Democrats for decades. Medicare itself is a single-payer plan in the sense that the insurance funds that pay for its benefits are in a single program.

The trouble with the conventional terminology, however, is that it falls short of describing what most people who support the single-payer option actually want to achieve. Consider the characteristics of Canada's Medicare, the most often cited single-payer comprehensive public health insurance program. The legislation governing that program prescribes broad coverage of care by physicians and hospitals; accessible terms (that is, no deductibles or coinsurance as financial barriers); public administration (for accountability); and portability (that is, coverage that protects Canadians whether or not they are in their home province when they need care). Most Canadians view universal health insurance as their nation's signal postwar public triumph. It has brought a decent level of care to all of the country's citizens and at a price that as a proportion of national income is 40 percent lower than health care spending in the United States.

A program like Canada's Medicare is administratively cheaper than other options, is more easily understood, and involves far fewer

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constraints on the autonomy of health care professionals and on the latitude of patients to choose among providers than do current arrangements in the United States. Such comparisons help to explain why Canada's model has been so appealing for American reformers. At the same time, however, this option has elicited intense opposition from groups whose incomes and ideological sensibilities are threatened by it. It is no surprise that the Health Insurance Association of America, the American Medical Association, and trade associations representing the pharmaceutical industry and managed care plans have viewed the Canadian example as a serious problem rather than a potential solution to the problems of American health care.

The Canadian system is unusual in that it bans private insurance for services covered by the public program. But the central lessons of the Canadian experience—for instance, that universal coverage is conducive to cost containment and that effective cost containment requires the concentration of financial responsibility and budgeting—are also manifest in other national systems that are less centralized and that retain a larger role for private insurers. We know from the German experience that it is possible to have multiple payers and still control costs if everybody plays by the same set of rules. We also know from Germany and Australia that it is not essential that everyone be in one public insurance system. These nations permit wealthier citizens to enroll in private insurance; what matters is that most people are in the public system so that it has broad political support and strong purchasing power.

Context Counts

Health care reform will never be a simple matter of dispassionately selecting policy instruments from a menu of idealized options. The stakes are too high and the politics around and about them too intense for that. Health care politics will vary with changes in the control of government and changes in America's economic circumstances. Let me close, then, with a brief analysis of alternative scenarios and their possible implications for the reform strategies of Democrats.

We can conceive of a realistic range of contexts by postulating combinations of political balance and economic vitality. Imagine three broad political scenarios: unified Democratic control of the White House and Congress; unified Republican control; and divided control. If we then posit two broad categories of economic circumstances—rapid economic growth of the sort experienced in the second half of the 1990s or a period of slow growth or recession—we have generated six possible futures to consider.

Chances are that only a thriving economy coupled with Democratic political dominance would make the single-payer option viable. But even under those conditions, this option would face tremendous opposition. Elements of a potential pincer strategy—such as universal coverage for children and expanded access to Medicare for uninsured older adults—could also attract support in these circumstances. If Democratic control of government is accompanied by economic and fiscal austerity, a more defensive posture would be likely, with emphasis on protection of Medicare and Medicaid.

If Republican domination were conjoined with favorable economic conditions, we might expect increased momentum for the enactment of a market-oriented tax credit program. If the economy were to lapse into recession, Republican leaders would be likely to seek restraints on Medicare spending by moving the program further in the direction of fixed-sum vouchers for coverage.

In all these scenarios, other situational factors would matter—including skillful and energetic political entrepreneurship and leadership by Democrats committed to reform. History instructs us that at any given moment marginal adjustments in health care policy are more likely than dramatic, transformative shifts. But those big shifts can happen, and we would be wise to be ready with plans to implement under expansive conditions. How well we adjust under more straitened conditions will be even more crucial in the short run. At some point the country will have universal coverage. When and how will depend on circumstances and opportunities—and on the choices that reformers make about how to make the most of those opportunities.

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After the Election

The election of 2004 is unlikely to usher in a bold spirit of reform. Democrats can realistically hope to capture the presidency and, perhaps, to improve their relative position in the House and the Senate. But there is no reason to imagine a Democratic electoral sweep.

The defense of Medicare's social insurance structure is the most important, immediate, and desirable object of Democratic electoral commitment. The Bush administration imagined it could take credit for adding an outpatient prescription drug benefit, take the issue away from Democrats, and, under the cover of "saving Medicare," transform it. The subsidies to private insurers are a sign of their transformative intention. The effort to charge much higher premiums to upper-income elderly and disabled with a rhetorical commitment to "progressive" financing is a second indicator that breaking up Medicare's unified constituency was the real motive. The refusal to permit Medicare to use its bargaining power with the pharmaceutical industry is shameful—if understandable given Republican ideological opposition to what is done everywhere else among the industrial democracies. But the very weaknesses of the Medicare "reform" of 2003 offer a Democratic opportunity for the election of 2004.

The Bush administration misleadingly budgeted $400 billion over ten years for the 2003 changes in Medicare. We now know that the Medicare actuary anticipated spending of something like $550 billion. But emphasizing the scandalous silencing of the actuary —however justified—calls attention away from what one could regard as a budgeted, designated "pool" for health care reform.

Imagine first treating the estimated budget as twice what would be needed for a sensibly designed prescription drug benefit. (This assumes, rightly, both that Medicare could purchase drugs for far less cost than predicted and that the subsidies for private plans—and health savings accounts—are utterly wasteful.)

One could regard this money "pool" as a Republican mistake. They believed the public would be fooled by the rhetoric of saving the Medicare program. Instead, the Bush administration legitimated funding health policy reform. What an opportunity we have. First, a simpler drug plan for Medicare. Second, a chance to advance the "pincer" form of expansion by including those over age fifty-five who have problems being insured. And, at the same time, the Democratic candidates, nationally and locally, could attack the market premises of Republican orthodoxy and offer an alternative voice. Rationing medical care by ability and willingness to pay is what Medicare was designed to replace. Balancing access to care with the ability to benefit from it with a commitment to reasonable budgetary restraint—this is the real challenge for the Democratic Party. Its chances for success hinge on its ability to take on the challenge. ●

Ted Marmor teaches at Yale University's School of Management, in the political science department, and at the law school. He is the author, among other works, of *The Politics of Medicare* and co-author of *America's Misunderstood Welfare State*.

To Our Contributors

A few suggestions:

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The Editors

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Democrats and the Struggle over Medicare

Making Molehills out of the Mountain

Bruce C. Vladeck

As the initial implementation of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (PDIMA) proceeds in a welter of confusion, misinformation, and charges of manipulation and deceit, it appears unlikely that the Bush administration will reap the political benefits it sought when it appropriated a Democratic issue and displayed its "compassionate" conservatism. A remarkably cynical and complex piece of legislation even by the standards of contemporary Washington, PDIMA may well implode under its own weight. Even if it is ultimately judged a partial success, everyone knows that Medicare will have to be revisited in the next Congress or the one after that. But PDIMA's failures hardly make for a Democratic victory. On the single issue on which Democrats should have the greatest political and rhetorical advantage, they have ceded the agenda to the Republican right and have let themselves be trapped in a posture of naysaying and defensiveness.*

Democrats have reasons to be proud of Medicare. A priority of three Democratic presidents, it was enacted by a Democratic Congress over protracted and strenuous Republican opposition (historically concealed by the fact that, once the battle was effectively over, most Republicans voted for passage of what had become, after fifteen years, a *fait accompli*). It has been remarkably successful. Health status and longevity among America's elderly have improved dramatically as a result of Medicare. In general, the United States does poorly on comparative international measures of health systems performance: our life expectancy is lower and levels of untreated illness are higher, except among persons sixty-five and older, where the United States outperforms the rest of the world. Black and Hispanic Medicare beneficiaries do less well than their white counterparts, but the difference is significantly smaller than in other age groups. Medicare has also served as a major factor in the development and expansion of what is best in the American health care system, in the facilities and technologies of its teaching hospitals, outpatient centers, and rural clinics. Its administrative costs are the lowest of any major health insurance program in the world.

And Medicare is enormously popular, not only with its beneficiaries, who are probably more satisfied with the program than it really deserves, but also among the non-elderly, who know much less about the program, but remain highly supportive. The much-vaunted intergenerational conflict that political pundits and partisans have sought to promote has not yet materialized, possibly because most younger Americans have parents or grandparents, or aunts or uncles, who depend on Medicare. Some of those younger people probably realize that, were it not for Medicare, they might be stuck with the responsibility for their older relatives' health care costs.

Medicare does have very real problems, although in the last decade Democrats have largely permitted Republicans and their conservative allies to define both the problems and the range of plausible solutions. To begin with,

*Generalizing about "Democrats" is a particularly risky exercise. I personally have had the privilege of working with perhaps a dozen member of the U.S. Senate and perhaps two dozen members of the House of Representatives—and many veterans of the executive branch—who feel about these issues much as I do, and have probably done much more to promote effectively our shared ideas. But they are far from being the dominant group of party leaders.

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Medicare—by design—is hostage to the continuing escalation of health care costs. Built on the framework of private health insurance, prohibited (by Congresses dominated by both parties) from effectively exercising its enormous market power, and unable to adopt the preferred private-sector response to cost increases—reducing coverage—Medicare's expenditures essentially track the growth in total health care costs. Hence, for the last two decades, Medicare has been one of the few components of the federal budget that has grown. For politicians concerned—or pretending to be concerned—with fiscal prudence, this represents a real issue.

And the problem of Medicare costs will get substantially worse over the next two decades, as the enormous cohort of baby boomers ages into eligibility. Between 2010 and 2030, the number of Medicare beneficiaries will roughly double—from about forty million to about eighty million people. After that, it will grow slowly for the balance of this century. Compounding population shifts with health care costs means that Medicare expenditures, in real dollars, can be expected roughly to triple over a relatively short period of time. Whether that's a crisis, as the Concord Coalition and the Congressional Budget Office would have us believe, or a real but easily manageable problem, is more a question of political spin than objective economics. Supporting benefits for aging baby boomers will cost more, but the incremental tax burden will, by most estimates, constitute only a fraction of the increase in real income of the average household between now and 2030. On the one hand, people will have to pay more taxes, and for people on the right, that's close to the essential definition of "crisis." On the other hand, after paying those taxes, working people will have more left over than they have now, so that may not be such a terrible problem.

And yet a case can be made that the real problem with Medicare is not that it spends too much, but too little. The Republican claim that Medicare is anachronistic and old-fashioned is true in one regard: Medicare's benefit package was close to the industry norm in 1965, but has hardly improved since. At the moment, Medicare is covering barely half of its beneficiaries' total health care costs, and PDIMA won't help that very much. Its bizarrely configured drug benefit will cover less than 25 percent of the average beneficiary's drug expenses, while at the same time it raises premiums and deductibles for other services. Medicare still won't cover vision or hearing services, dental care, or all but a very limited amount of long-term care, and its mental health benefits are extremely limited. Nor, unlike almost every other health insurance policy available in the United States today, does Medicare provide a cap on out-of-pocket expenses. Medicare beneficiaries thus bear an increasing share of their health care expenses, at a time when their incomes are growing slowly, if at all. Defenders of PDIMA point with pride to its provision of additional subsidies to the five million or so Medicare beneficiaries with the lowest incomes, ignoring the extent to which most of the elderly, who don't technically qualify as "low income," still have very modest means: three quarters of Medicare beneficiaries live in households with incomes below $40,000 a year, and most of that income derives from Social Security, which is only modestly indexed, and private pensions, which frequently aren't indexed at all.

Medicare was founded on the same principles of social insurance that underlie the rest of the Social Security System: it is mandatory, contributory, and universal; it provides guaranteed benefits, is closely integrated with private insurance, and relies on private service providers; and it is moderately redistributive. It is also financed largely (although to a lesser extent than Social Security) on a pay-as-you-go basis. These principles, I would argue, are just as valid today as they were seventy years ago, but they are much less fashionable, and only a minority of Democratic leaders has been willing to talk about them publicly, let alone defend them directly against systematic Republican attacks.

Since Medicare was enacted, no Democratic presidential candidate has made its expansion and improvement a major campaign priority. Of this year's major primary candidates, only Richard Gephardt sought to make it an issue—while Howard Dean disingenuously

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backed away from his proto-Republican track record. This reluctance to defend a successful program stems largely, I suspect, from a fear of being accused of fiscal irresponsibility or of being captive to the "special interests" of the elderly and labor. During the 1980s and 1990s, the right wing did an effective job of convincing the editorial writers for the *New York Times*, the *Washington Post*, and other members of the opinion elite, that the "entitlement crisis" really was something to worry about. More defensibly, national Democrats have focused on the harder problem of extending health insurance to the millions of Americans without any, and so they have tended to take Medicare as a given, a solid building block around which the rest of the system could be reconstructed, even while Medicare's opponents are busy undermining its foundations.

Bill Clinton came to Washington committed to comprehensive reform of the health system, but with limited knowledge of Medicare and its historical resonance. He was also heavily influenced by Progressive Policy Institute types and other "New Democrats" (including Howard Dean), who scorned Medicare as an old-Democrat avatar of fee-for-service, administered pricing. They were eager to move into the brave new world of efficient health maintenance organizations (HMOs) and competitive health care markets. Medicare was essentially an afterthought in the Health Security Act, although that Clinton proposal did contain an excellent prescription drug benefit, largely as a defensive mechanism to rebut anticipated—and accurate—accusations that much of its coverage for the previously uninsured would be financed from cuts in Medicare payments to providers.

Clinton learned better quickly enough, however, once Newt Gingrich stumbled onto Medicare "reform" as part of the unavoidable arithmetic needed to make the Contract with America budget compute. Gingrich invested millions of dollars in focus groups and opinion surveys to create a rhetoric of "reform" and "modernization" with which to conceal a systematic attack on Medicare's underlying principles. Clinton responded in kind, successfully positioning himself in 1996 as Medicare's great protector.

But the issues haven't gone away. Republican efforts at "reform" were at least partially beaten back in the Balanced Budget Act of 1997, and in the shenanigans surrounding the little-lamented Bipartisan Commission on the Future of Medicare in 1998 and 1999. But "reformers" scored a number of frightening, if partial, victories last year, and one can be sure they'll be back at it as soon as the opportunity presents itself.

Privatization has been at the heart of the Republican agenda during the last decade, and that means forcing a growing proportion of Medicare beneficiaries to get their services through HMOs or other private insurance plans. This policy is invariably justified as a way of saving money and improving efficiency—thus solving Medicare's long-run financial problems—despite overwhelming empirical evidence (accepted by professionals on both sides in the recent dispute over how much PDIMA will cost) that, all other things being equal, private plans cost Medicare more than the old-fashioned, sixties era, "traditional" government-administered insurance program. Provisions in PDIMA designed to increase enrollment of Medicare beneficiaries in managed care plans will cost something over $40 billion. In fact, the enthusiasm for privatization reflects the reflexive Republican preference (shared by many conservative Democrats) for all things private over all things public. It is inconceivable, on this view, that there are activities that governments clearly perform better than private agents. Many Democratic economists, it should be noted, more loyal to neoclassical ideology than political principle, have bought into this nonsense about "market" solutions to health care problems.

More insidiously, privatization is also the vehicle through which the masterminds of the Republican agenda seek to convert Medicare over time from a defined-benefit to a defined-contribution program. This means that future beneficiaries will receive the equivalent of a fixed-price voucher with which they can purchase whatever combination of utilization controls, deductibles, and co-payments private insurance plans choose to offer. By controlling the price of the voucher, future governments

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would also be able to shift the risk of increasing health care costs from the community as a whole to individual beneficiaries—thus sidling away, without visible fingerprints, from Medicare's basic commitment to provide access to health care.

The most bizarre manifestations of this privatization policy are contained in PDIMA's drug benefits themselves, which must be offered through private insurance plans (even though, at the moment, no such plans exist). These plans will be free to vary coverage patterns and formularies, while the cost to beneficiaries is determined by the market, which the government is forbidden, by PDIMA itself, from trying to influence.

But the assault on Medicare is not limited to the public/private front; it is also directed at its universality. The additional benefits for lower income individuals in PDIMA mean that for the first time in Medicare's history, beneficiaries will receive differential benefits for reasons other than their health care needs. Combined with the introduction of income-related premiums (a barely defensible idea that many Democrats, confusing the issue with progressive taxation, have long supported), the path has clearly been established along which, in some not-too-distant future, more and more relatively affluent (and relatively healthy) seniors will find it financially disadvantageous to participate in Medicare at all. So the pool of insured persons will become sicker and poorer with each passing year. Eventually, Medicare could thus become Medicaid—a limited, if indispensable, safety net for a small fraction of the population it was originally expected to cover.

Concerned with the very real and immediate plight of low-income seniors unable to afford life-saving medications, and in the context of rigid (if entirely arbitrary) budget constraints, many congressional Democrats felt backed into a corner, and supported the expanded but means-tested drug benefits. In Washington, the Rubicon can always get re-crossed, but the precedent is hardly encouraging.

A real Democratic agenda for Medicare would start with the extension of PDIMA's low-income prescription drug benefit—which really isn't bad—to everyone in Medicare. The added cost could be financed in part by recapturing some of the more egregious overpayments to HMOs and other private plans contained elsewhere in the legislation. Then Democrats should also aim to create a cap on total beneficiary out-of-pocket expense—perhaps tied to individual incomes—which would also permit restructuring the market for Medicare supplemental insurance so as to make it more affordable for beneficiaries and the few employers still providing retirement health benefits. Establishing "parity" between Medicare's benefits for mental health and all other illnesses should follow, along with at least some coverage of hearing, vision, and dental care.

Democrats should also be advocating an expansion of Medicare, on a voluntary basis, to people over the age of fifty-five. An excellent proposal to do this for those over sixty was formulated in the last year of the Clinton administration; it was designed, however, to be financed solely by enrollees, without any subsidies for people with low incomes. But Americans between the ages of fifty-five and sixty-four who don't have employer-provided health insurance (including the spouses of more than a million Medicare beneficiaries) are now essentially uninsurable, and they are at very high risk for financial catastrophe due to illness. Those who survive will eventually become Medicare beneficiaries anyway. Giving them a head start would make them healthier when they turn sixty-five. Most of the opposition to this idea derives from the dogma that any expansion of government programs is a bad idea. Democrats should be proud to argue that expansion of a successful government program is a good thing.

Improving Medicare will cost a fair amount of money, of course—but if Medicare is to survive at all, it's going to be necessary to put more money into it sooner or later. Indeed, in 2000 a bipartisan panel of professional experts reported that, even under the most optimistic scenarios for reducing expenses through privatization or anything else, the existing benefit structure could not be maintained through 2030 without additional revenues. Bill Clinton and Al Gore tried to finesse this problem by setting aside part of anticipated budget sur-

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pluses for Medicare (and Social Security). The Republicans, of course, saw through that strategy, and gave the money back to their wealthier supporters in tax cuts.

Since the Mondale debacle in 1984, Democratic candidates have been reluctant to admit that the continued provision of goods and services that the public desires might require increased taxation. But the Bush tax cuts have been so egregious—and so transparently tilted in favor of the very wealthy—that it is now possible at least to suggest rolling these back. It's always hard to get people to support taxes in the abstract, without some clear conception of what they are going to pay for. Americans like Medicare, as well they should, and they are prepared to support it. They also believe in participatory social insurance, and in providing needed health care to the "deserving"—that is, to retired working people. If Medicare is going to be there, though, and if it's going to be worthy of continuing support, Democrats are going to have to figure out how to argue the case. Decent health insurance for older Americans can no longer be considered a given in the American policy landscape. That givenness, hard-won by Democrats over many years of fighting, is rapidly eroding. At the rate its defenders are going, it could be gone before they've figured out their response. ●

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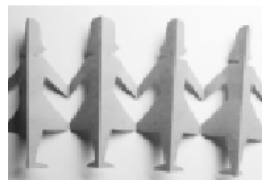

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Unions and Health Care Reform

Katherine Sciacchitano

With health care the number-two priority of voters—behind jobs but still before terrorism—hopes are riveted on the 2004 election for reform that would extend coverage to forty-five million uninsured and safeguard the care of those lucky enough already to have coverage. Unfortunately, defeating George W. Bush, even if it can be done, won't correct course. Congress will remain largely unchanged; and it's not just Republicans who are loath to take on the insurers and pharmaceuticals, or who share a weakness for privatization and deregulation.

In the long run, reform depends less on the results of any election than on the reinvigoration of the organizational resources, numerical strength, and moral force of labor. No industrialized society has successfully mitigated the effects of for-profit health care or won national health insurance without a vibrant labor movement.

The battle will be uphill all the way. In the thirties, forties, and fifties unions raised employment standards by organizing on such a massive scale that they dominated labor markets for union and non-union workers alike. Higher wages and benefits helped tame industries, redirecting them away from deflationary wage competition and toward productivity growth and rising consumer incomes. They also helped rationalize the economy and guarantee unions' social and political role. U.S. unions failed to win national health care, but they won employer-paid insurance for many and helped safeguard Social Security.

Union density is at less than 13 percent. As more jobs have become part time or temporary, the stability of the system of privately paid, job-based benefits has crumbled. Taming the health care industry today means solving the problem of universal access and skyrocketing costs. And the moral imperative for unions organizing health care workers lies as much in the linkage between safeguarding jobs and winning adequate financing for the uninsured as it does in bargaining. The question is not only whether unions can organize on a massive enough scale to set employment standards again, but whether they can contribute to the far more difficult problem of regulating an industry increasingly beset by the same forces of privatization, globalization, competition, and budget cutting that buffet the economy at large. In larger movement terms, the question is how to forge a more enduring coalition between labor and progressives. For progressives, the challenge is to raise expectations for reform and keep them raised. For unions, it is to deepen the political understanding and commitment of members and build a base that will stick to and demand reform, whether today or ten years from today.

Following the Industry

The challenges of building a coalition between labor and progressives are illustrated by the experience of the Service Employees International Union. SEIU is one of a handful of unions that have seriously focused on the changing shape of their industry and that have continued to grow. With half of its 1.5 million members in health care, SEIU is also the largest health care union in the country. Its goals are expansive: "Organizing to scale," meaning organizing enough workers to set employment standards in the industry, and taking on the issues of universal access, quality of care, and health care financing.

For the past decade, organizing to scale has involved a massive effort, joined more recently by AFSCME and the California Nurses Association, which also have records of aggressive

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organizing. Now on the verge of taking Los Angeles union, SEIU believes that if it can succeed, then repeat its success nationally, it can do for the hospital workforce—largely women and people of color—what the Congress of Industrial Organizations did for white males in the thirties, as well as raise political expectations and build a base for reform.

The last major market to go union was New York City, in the wake of the upsurge of the civil rights movement. In the absence of any similar social movement today, what makes SEIU's ambitions possible as well as necessary are the same forces that make reform essential—the transformation of the U.S. health care system from one based on non-profit and public hospitals to one that is corporate driven, and the retreat of the federal government from supporting public care to fostering privatization.

As late as the sixties, seventies, and even early eighties, doctors and hospitals directly controlled the price of their services. Charity care was the main recourse for the uninsured. Medicare and Medicaid greatly expanded access. But instead of guaranteeing survival of community hospitals, the cost-plus financing of the two programs guaranteed huge profits, rapid expansion of facilities and technology, and rapid cost inflation. When the Reagan administration switched to flat-rate reimbursement by diagnostic groups in an attempt to limit costs without regulating the industry, incentives jumped from providing as much care as possible to providing as little care as possible. Because spreading risk helped safeguard profits, market share, or size, suddenly mattered, and hospitals began pouring their huge accumulation of capital into mergers and acquisitions. By the late eighties and early nineties, private hospitals—profit and nonprofit alike—were morphing into "systems," using their consolidated market power to battle insurers for increased rates for reimbursement, creaming the best patients and leaving the sickest to the public hospitals—and the public purse.

Insurers—which now included health maintenance organizations and other managed care systems—consolidated and fought back, inventing "capitation" or a flat rate per patient—an even worse incentive to ration care. The result was alternating rounds of cost inflation, profit squeezes, and further acquisitions.

In an industry where 60 percent of costs are labor costs, raising capital for acquisitions and consolidations meant systematically squeezing staffs and reducing nurse-patient ratios. Hospitals became more dangerous for patients and workers alike. And getting a good contract ceased to be a matter of simple militancy and holding out longer against an employer who could pass on wage increases. Workers were now "cost factors" of production that hospitals had to minimize. Just as market share mattered for the hospitals, density mattered for the unions. So did a plan.

Harnessing Politics to Organizing

SEIU had the ability to develop that plan: an insistence (now rare in the labor movement) on "industry organizing"—organizing entire hospital systems rather than isolated work sites, a willingness to tackle the problem of "time" with long-range commitment of energy and resources, the harnessing of members' health care purchasing power to the cause of organizing, and the systematic mobilization of a mammoth public sector base in California. In addition to the hospital organizing, results in California include a ground-breaking campaign for 74,000 publicly financed but individually contracted Los Angeles County home care workers, a successful financial rescue of L.A. County public hospitals, and the nation's first "pay or play" legislation to extend employer based coverage to uninsured workers.

The push to organize grew out of the plummeting market position of SEIU's flagship health care employer, Kaiser Permanente, as freestanding hospitals in California—nonprofit as well as profit—went through a massive wave of amalgamations in the late eighties. With Kaiser paying higher wages than its non-union competitors, the stage was set for a bitter 1987 strike that left Kaiser workers with a two-tier pay system and leaders vowing to organize the competition until it met or surpassed Kaiser's standards.

SEIU's vision took shape as it swung into action with a controversial labor-management partnership with Kaiser, aimed both at freeing resources for organizing and demonstrating to non-union employers just how beneficial a collective bargaining relationship could be for

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quality of care. SEIU pumped serious iron in the legislature—enforcing and expanding existing standards—and established itself as a force that neither Kaiser nor any other system could ignore. For employers who engaged constructively, SEIU would lend its political muscle to common objectives, particularly funding. Resources would increase; the need to squeeze workers decrease; and care would improve, along with the providers' reputations.

If the partnership was the carrot, the stick was SEIU's revival of industry organizing through its Justice for Janitors campaign, which was conceived as a way to overcome the problems of site by site National Labor Relations Board elections (which offer perfect platforms for delaying votes and terrorizing workers). SEIU analyzed the power structure of the building services industry, identified owners rather than cleaning contractors, went after entire cities rather than individual workplaces, funded itself for the long haul, then launched militant and often raucous campaigns for voluntary recognition, and waited years for victory.

A decade later, with successful campaigns from Los Angeles to Washington, D.C. under its belt, SEIU applied what it had learned to the much larger turf of hospitals, an industry that makes up one seventh of the U.S. economy.

Securing the Base

Health care is highly centralized, and SEIU's resources, like those of most unions, are highly decentralized, in 1996 SEIU began spurring locals to put 20 percent of their budgets into organizing. Locals responded with an assortment of organizing drives. Four years later, SEIU successfully refocused the resources it had unleashed into "unity funds"—money for massive industry campaigns, supported by locals across the country. Regional decision-making structures were formed to deepen organizing decisions as well as to increase leadership positions for women and people of color.

When Eliseo Medina, executive director of a San Diego local that had quintupled in five years, was elected international vice president and appointed to the western region, he started building the local support and groundwork needed to get through the "dark days" before winning new members, a period that many unions don't survive. A 1997 joint research project shared by SEIU International, Local 250 in Northern California (based in Oakland and a strong single-payer advocate), and Local 399 in Los Angeles, deepened commitment. It also identified Catholic Health Care West—a newly formed system of Catholic hospitals that was also California's largest system—as the first organizing priority. Tenet Hospital Corporation, the second largest for-profit system in the country, the largest provider in southern California, and an almost entirely non-union chain, would be the second.

The bulk of CHW's non-union facilities were in southern California, where Local 399 had organized only one hospital in the past decade. Local 250 had a density of 80 percent to 90 percent in the Bay area and contracts with three CHW facilities, but was losing leverage as CHW expanded to include more and more non-union hospitals, and had taken strikes in 1988, 1994, and 1996. Both locals now embarked on aggressive campaigns to educate members about the corporatization of health care and why contracts with Kaiser couldn't improve until CHW was organized. Local 250 upped the size of its bargaining teams from two to as many as one hundred members for each hospital; Local 399 went from no member organizers in 1993 to 118 in 2003.

Organizing the Church; Leveraging Wall Street

SEIU began the campaign hoping for voluntary recognition. However, although the National Conference of Catholic Bishops supported the dignity of workers and their right to organize, the order of nuns that owned CHW hospitals didn't reflect that position in their management practices. Brothers in the hospitals held captive prayer meetings, organizers were told unions were nowhere to be found in the Bible, workers were surveilled.

SEIU countered with a campaign that dissected CHW's roles as a provider of health care services, employer, corporate citizen, organ of the church, and recipient of tax subsidies. When CHW pursued expansion plans by buying and closing community hospitals to increase its own market share, staff researched CHW's legal responsibility to provide charity care and asked the California attorney general

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to enforce the hospitals' charitable trust obligation to the community. Organizers worked with Catholic activists to hold CHW accountable to Catholic social teachings. Sympathetic priests were asked to sponsor "labor in the pulpit" on Sundays so workers could tell congregations about their working conditions and CHW's resistance to organizing. There were rallies in front of hospitals and a prayer vigil in Sacramento. When SEIU's campaign for voluntary recognition stalled after a year and a half, organizers reacted flexibly and petitioned for NLRB elections in hospitals where they thought they could be successful. When the union lost several of the elections, it established a Fair Election Commission, headed by State Assembly Speaker Antonio Villaraigoso, to expose CHW's election conduct and used the report to maintain momentum with workers and the community.

In 2001, feeling pressures from Catholic activists, facing extraordinary expenses from a California law requiring retrofitting of public facilities for the disabled, and fearing the consequences of dropping bond ratings from its overexpansion, CHW capitulated and signed a fair-election agreement similar to organizing rights Local 250 had bargained for CHW hospitals in the Bay area. The following year, 2002, SEIU won a contract—with paid family health care for workers with more than twenty hours a week, no-subcontracting clauses, and patient care committees with binding arbitration—that raised the roof on standards for the industry.

The effect in Los Angeles was electric. Non-union employers began providing family coverage. Non-union workers began calling the union. While CHW took five years and millions of union dollars to reach a contract, it took only eighteen months for Tenet, SEIU's next organizing priority, to agree to fast and fair elections and a guarantee of first contracts that would include joint patient care committees with binding arbitration to settle disputes, fully paid health care, and raises of between 5 percent and 8 percent a year for four years.

The State Strategy for Reform

There is a difference between tactical use of the politics of the welfare state in organizing and political struggle to expand the welfare state itself. SEIU knows that without reform it may soon find itself an island in a sea of shrinking coverage. Its strategy for political reform is, therefore, to recruit health care voters for the 2004 elections, use the 2004 elections (and beyond) to bolster and focus state level demands for reform around a broad set of principles, then use successful state reforms to press for national reform.

Maine and California are cases in point. In Maine, SEIU helped elect the governor on a platform promise of reforming health care. The result, Dirigo Health, expands state programs for the poor; creates a state insurance pool for individuals, small businesses, and the self-employed; and provides subsidies to low-income workers to buy insurance.

In California, SEIU helped enact "pay or play" legislation and brought both Kaiser and CHW into the coalition for its passage. Known as SB2, the legislation requires employers either to "play" by providing a minimum level of coverage to employees (including employer contribution to the premium) or "pay" by contributing to a state fund for care. The legislation keeps employers from taking themselves out of the health care equation; expands private financing of coverage; and provides a floor for benefit costs for union employers competing against the likes of Wal-Mart, while still allowing unions to bargain for extended benefits and employer-paid premiums.

The state strategy avoids divisive battles over single-payer. It holds the door open for more fundamental national measures, in part by preempting right-wing measures such as medical savings accounts or vouchers. The question is what the reforms accomplish and whether the momentum they create is more likely to be harnessed by the left than the right.

On a practical level, the reforms significantly expand coverage. But most also require significant political capital to implement and leave key details, such as floors for coverage, to be worked out after passage. Cost control measures can be creative, but limited; in Dirigo, cost controls are voluntary for the first year. And although the reforms can add revenue for the providers at the margin, they do little to alter the overwhelming calculus of a federal financing system—60 percent of hospitals' budgets are

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paid by Medicare and Medicaid—that continues to feed privatization, acquisitions, and consolidations that will further squeeze patients, workers, and unions. Nor do most address the wastefulness of our third-party-payer insurance system or inadequate regulation of technology and facilities. Finally, most reforms—including SB2—leverage Medicaid payments to expand financing and are vulnerable to Medicaid's being turned into block grants—another defensive battle that will either be fought simultaneously with Medicare or after it.

In California, additional political contradictions have already surfaced. Governor Gray Davis signed SB2 into law in an attempt to cement labor support just before his recall. Few knew of its passage, and a hard-fought referendum this coming year will now determine its survival. In the meantime, the recall has left the new governor, Arnold Schwarzenegger, free to freeze enrollment in public health programs; slash budgets; and increase contracting out—moves that hurt most workers and force unions into defensive battles. The election doesn't represent an ideological shift—Schwarzenegger didn't run on cutting services. But it does represent an ideological black hole. And half of California's union members walked into it.

The Global Hospital

The trip wire for change may turn out to be global rather than local. Although the global factory is a familiar concept, most health care workers, unions, and consumers haven't focused yet on the global hospital: importing nurses, outsourcing reading x-rays, back office data handling, tele-medicine. Any and all information that can be electronically transmitted across borders will be.

In the wake of these technological innovations are the General Agreement on Trade in Services (GATS), the North American Free Trade Agreement, the proposed Free Trade Agreement of the Americas, and the various hemispheric trade agreements. Conceived as one-way streets to privatization, the treaties commit governments to open domestic markets to global competition by eliminating "barriers to trade" (for example, licensing standards, safety standards, higher reimbursement levels for public providers), even when the "barriers" treat foreign corporations exactly the same as domestic corporations. The bottom-up approach of GATS allows countries to commit sector by sector to its provisions. The United States hasn't agreed to open professional health care services to global competition, but it has opened management of hospitals and other health care facilities as well as health insurance. Theoretically, single-payer national health insurance is already prohibited under GATS. Under NAFTA's provisions for investor-to-state suits, single-payer could be challenged either by a foreign insurance company or a U.S. insurer incorporated off-shore that wanted to recapture a share of the U.S. market. Under any of the pacts, the state attorney general's charitable trust authority that SEIU relied on in the CHW and Tenet campaigns might be severely restricted. Strategies such as those SEIU used to organize home care workers—winning creation of a public employer of record for privately contracted home care workers—might be considered an illegal monopoly and outlawed.

Apart from the treaties, structural adjustment programs of the International Monetary Fund and World Bank are already prying open Latin American markets, and health maintenance organizations have begun to export managed-care operations. These operations will not only globalize the U.S. system of care, they'll harness privatized Social Security funds to the cause of transnational capital accumulation and concentration, undermine politically conscious public sector health care unions in Latin America, and increase the global and national political influence of the industry. All this will aid in efforts to privatize Medicare, resist regulation, and fend off taxation, in other words, complete the neoliberal agenda within the United States as well as in the third world.

The Election, and After

The Tenet campaign is far from over, but SEIU would say it demonstrates what it calls the "big bang" theory of organizing. Progress is gradual up to a point; the California organizing began seventeen years ago, at least. Then it takes off. At low levels of union density, employers have every reason to resist unionization because competitors are non-union. But at higher density, the incentive is reversed. More, employers see other

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employers in the same market and same industry felled by multi-year campaigns that unions fully fund, prepare for, and stick with.

The "big-bang" lesson is applicable to political organizing as well. SB2, for example, followed fourteen years of efforts with other initiatives, including a single-payer initiative that crashed and burned in the wake of the Clinton debacle. No one expected its passage when it finally came.

On the other hand, SEIU's proposition that union density is the basis of both economic and political power for unions is less straightforward. Density matters, and both bargaining and organizing are political. But labor's assumption that it can deliver its employers to support health care reform has proven wrong in the past, most recently during the failed Clinton reform. And density in a global economy is a different calculus than density in a national economy or industry.

So far, SEIU's health care organizing has taken place in a national context. The globalization of health care will transform the leverage points for organizing once again. It will also expand the potential for alliances between labor and anti-globalization movements, grown more distant since 9/11, as well as between U.S. movements and popular movements abroad.

Movement building, of course, takes time. Yet unions have never surged without other vibrant social movements. Nor has real reform taken place without the tailwind of a movement. The civil rights movement boosted the last wave of hospital and public sector organizing. In the thirties, movements of the unemployed, the homeless, and the left boosted labor militancy and made possible gains in collective bargaining that would have been impossible without their political pressure. In this context, GATS, the FTAA, regional trade agreements and structural adjustment programs (SAPS) are reminders of the pressure of time, and markers of how deep political organizing will need to be to expand, or even defend, the welfare state. So are the growing trade and budget deficits. SEIU's support of Howard Dean's antiwar candidacy made complete sense from the point of view of safeguarding the field for domestic reform. If the dollar tumbles as the international reserve currency, the unparalled freedom the United States has enjoyed from the pressures of financial markets in setting domestic policies will be gone. This past January, citing the twin deficits, the IMF issued a report calling for extensive "reform" of Social Security and Medicare. Federal Reserve chair Alan Greenspan has used the deficit to call for cutting Social Security. Without fundamental reform of the cost of drugs or medical technologies or insurance, Medicare will soon be thrown on the pyre as well.

Lessons Learned

If the left is to persevere for the long haul and avoid being coopted, as happened with the Medicare drug benefit and as Republicans are trying to do now with the issue of coverage, we need first to reconsider some of the lessons the left believes it has learned from the Clinton debacle. The first is that single-payer may be off the table, but the task should be putting it—or some equivalent—back on. Labor chose not to push Clinton during his health care reform—and to rely on support from its employers for reform as a way to rationalize costs. It was disappointed on both counts. The radical right hasn't hesitated to push its commanders in chief. Even at this stage, it would be a mistake not to push John Kerry.

The second is that the argument for reform can't be made without facts, particularly since the right so frequently dispenses with them or makes them up. We spend more per capita on health care than any other country in the world, yet we're the only industrialized nation where not only the poor but the working and middle classes, even those with health care coverage, regularly face ruin if they get sick. The reason is our failure to control our third-party insurance system and medical-technology establishment. Germany and France, with mixed private-public systems, have found ways to provide care for all. We can, too.

Third, and most important, is the larger story in which the facts about health care are embedded. The right tells a story about the national and global economy and individual virtue, and it's been polishing the details since Barry Goldwater ran for president in 1964. Hard work leads to success and to global competitiveness.

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Competition is efficient. Markets are efficient. Governments are corrupt and only take away the chances individuals have to succeed.

The left must tell its own story, one that talks about valuing work and workers. The story says that none of us can fully be valued except in community. Without community, there is no real prosperity, either domestically or globally. Markets alone foster inequality. Inequality isn't efficient. It leads to greed. And greed—most specifically, the unchecked greed of the corporations and transnationals—leads to less for all, not more. Choosing how we live together, choosing justice, is the essence of being human. Choosing how we take care of each other is the essence of being human. There is no such thing as active citizenship—there is no such thing as democracy—without a guaranteed level of security for basic human needs such as food, housing, and medical care. ●

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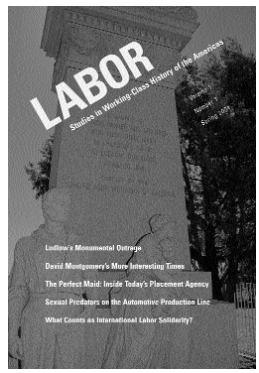
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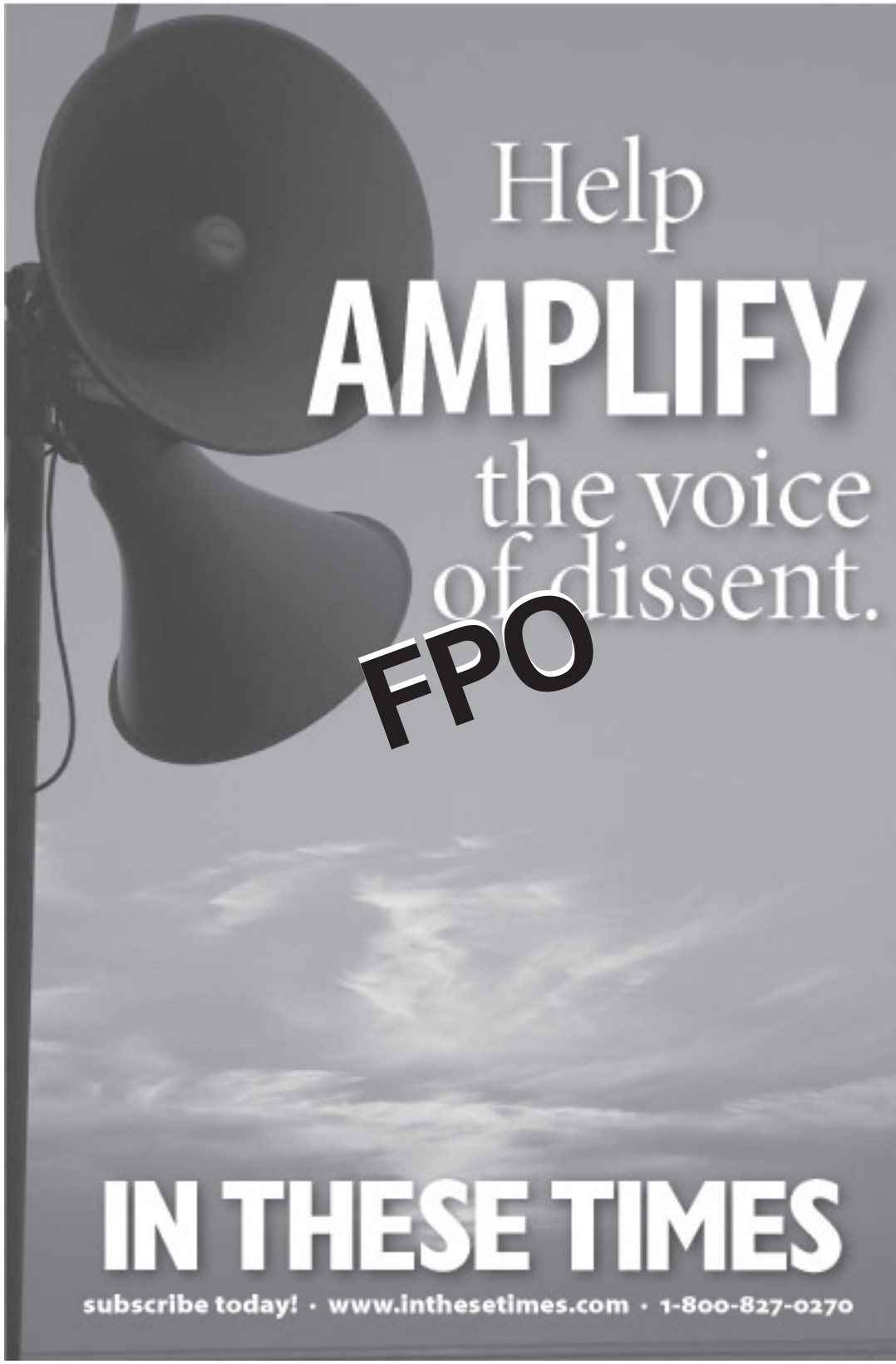

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Television and the Politics of Humiliation

Nicolaus Mills

As the election media wars heat up, both Democrats and Republicans are looking for an edge, whether it means finding an ad that will appeal to swing voters like the "NASCAR dads" or figuring out how to get more of their candidates on the Sunday morning talk shows. But what gets little attention these days are the political implications behind the television programming that under the guise of being reality based has made a culture of humiliation the key to prime time audience ratings.

Making entertainment out of people's weaknesses has historically been part of television. *Candid Camera*, *The Gong Show*, and *The Dating Game* all capitalized on getting those who appeared on them, whether as surprise participants or contestants, to reveal themselves in spontaneous, often unflattering ways. But there was a lighthearted, practical-joke quality to these shows. The fluff was there from the start, and in the case of *The Gong Show* and *The Dating Game* the rewards for winning were paltry. Today's humiliation TV is a different story. The financial stakes are high, and participants are subjected to prolonged exposure before the camera. Their failings—whether of looks or character—are discussed in front of them, and if they can be made to cry, so much the better.

The shows that constitute humiliation TV have been classified by programmers and critics alike as reality-based television. But there is nothing real about them, if by real we mean programs designed to show ordinary people in the process of going about day-to-day life. Humiliation TV shows are contrived from start to finish, and what they feature are not winners so much as losers to whom the viewing audience can feel superior. Their closest television roots lie in the shows of Jerry Springer and Howard Stern, where meanness is the norm, and nobody comes away with his dignity intact.

No show better illustrates the elements of humiliation television than the highly popular series *The Apprentice*. The show won huge ratings by pitting sixteen aspiring businessmen and women in a battle to win a $250,000 job with real estate mogul Donald Trump, whose weekly task was to tell a contestant, "You're fired." The "apprentices" were divided into teams and given a project (renting an apartment, making a profit from bicycle cabs) in which they knew in advance that one member from the losing side would be cut. The projects themselves were trivial, closer to a test contrived by a college fraternity than a business school, and that was the point. A serious approach to the business world would have been a distraction for the show as well as for Trump, whose hotel and casino holdings are currently mired in debt. *The Apprentice* centered not on the success or failure of any project but on the losing team's having to face Trump across a huge conference table. Would the apprentices turn on each other? Would the hard-working contestant be defeated by the manipulative contestant? This was the drama the audience could not wait to see, and the most successful programs were the ones in which Trump fired someone the viewers had learned to hate, and the loser got into a waiting cab and drove off alone into the New York night.

In New York there are now Trump billboards that feature The Donald looking very stern and saying, "You're fired," and when we look at our television guides, we can see the formula that *The Apprentice* has perfected is everywhere.

On *American Idol: The Search for a Superstar*, a variation of the talent show that from

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Ted Mack's *Original Amateur Hour* to *Star Search* has always drawn an audience, the key is not picking the winning contestant but humiliating the losing one. Although some winners on *American Idol*, notably the singer Kelly Clarkson, have gone on to popular success, the reason viewers watch the program is not to discover the next Kelly Clarkson. They watch to see what Simon Cowell, a member of the celebrity panel that judges the contestants, has to say. A British-born record executive, Cowell specializes in badgering hapless singers, and it is his put-downs that fans wait for each week. "Don't sing again. I think it's lucky we didn't charge the audience to come in tonight because they'd ask for a refund," he told one loser after a particularly bad performance. As long as Cowell is on his game, the producers don't even have to worry about the talent level of those who appear on their program. All they have to do is book a steady supply of lousy performers whom Cowell can savage.

On *Survivor* a similar transformation has happened to the traditional nature show. Contestants are placed in an exotic wilderness setting, usually a South Pacific island, with which they and their audience are unfamiliar. But their next step is not to go exploring, as if they were on the Discovery Channel. Instead, the contestants are divided into teams and pitted against each other in challenges, typically canoe races or building a shelter, decided upon in advance by the show's producers. The losing team must send one of its members off the island, and the climax of the show comes when a vote is taken and viewers get to see who has failed to make the right friendships (contestants are encouraged to form alliances with each other) or told the best lies (one contestant tried to win sympathy by claiming that his grandmother had just died). There is no waiting cab for the losers. They are ushered out of the campsite and into the night, but as in *The Apprentice*, the money shot is built around exclusion.

On *Average Joe*, humiliation TV has even changed the old *Dating Game* formula in which three bachelors hidden behind a screen competed to see which one could persuade a bachelorette who was asking them questions to go out on a date. On *Average Joe* the stakes have been made much higher. The assumption is that the bachelorette is choosing a potential partner for life, not just a date, and the idea of her making a decision this important sight unseen has been done away with.

In the first *Average Joe* the catch was that the bachelorette, Melana Scantlin, a former National Football League cheerleader and Miss Missouri beauty queen, had to choose from a genuinely unattractive lot. The drama of the first shows in the series came from Melana's being a good sport and choosing the Average Joes she was interested in on the basis of personality. The drama of the concluding shows came from the three handsome men who were suddenly added to the mix—a step that humiliated the remaining Average Joes and gave Melana the option of choosing her Joe on the basis of physical appeal, which in the end she did, selecting Jason, a good-looking student/waiter, over Adam, an original Joe.

Whether there are any boundaries these shows will not cross in the future is hard to know. Many of them are openly contemptuous of the feelings of people they have recruited. On *Joe Millionaire*, twenty female contestants were told that Evan Marriott, the man whose affections they would be competing for, was worth $50 million, when the truth was that the handsome Evan was a $19,000-a-year construction worker. The premise of the show was that women are gold diggers who will always make themselves available to rich men.

On *Fear Factor*, contestants have been asked not simply to meet difficult challenges but to participate in gross-out contests in which the winner is whoever can eat the most spiders or last the longest in a vat filled with snakes and night crawlers. On *Extreme Makeover*, a program in which participants undergo plastic surgery, those who make it onto the show appear only briefly after their surgery. The show counts on its participants' self-loathing to give it appeal. Most of their time before the camera is spent telling the audience and their plastic surgeons what they hate about themselves and exactly what it is about their teeth, breasts, nose, skin they want changed.

In a thoughtful essay on *The Apprentice* and the Martha Stewart trial, *New York Times* col-

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umnist Frank Rich opined that the kudos Donald Trump was winning for his role in the show were a sign that the public was at last fed up with corrupt CEOs and liked Trump's blunt way of doing business. Rich's populist conclusion is comforting, but does not fit the facts. Much closer to the truth are the observations of Jeffrey Sonnenfeld, the associate dean of the Yale School of Management, who in a *Wall Street Journal* op-ed piece noted that the selection process on *The Apprentice* "resembles a game of musical chairs at a Hooter's restaurant where sexual baiting and pleading is confused with effective salesmanship."

INDEED, THE OVERRIDING lesson that humiliation TV offers is that people will do anything for money, and that we are living in an America in which the only way to get ahead is to behave as ruthlessly as possible. Forget cooperation. Forget fairness. Think zero-sum society. That is the vision that television's new culture of humiliation holds out. Our high schools and colleges may be bastions of "political correctness," teaching students to refrain from judging each other on the basis of differences in appearance or beliefs, but in humiliation TV, judging dismissively is the name of the game. Excluding someone from sharing the top prize is the ultimate triumph.

In humiliation TV it is not, moreover, just the contestants who seem to be missing an ethical core. There is also no visible ethical core among producers and directors. They never ask themselves if they are taking advantage of people's needs and vulnerabilities or if they have any obligations to those who agree to be on their programs. It clearly does not bother them to deceive a contestant, and it does not seem to occur to them that in filming contestants in intimate moments, such as a doctor's exam or a romantic encounter, they trivialize surveillance and eavesdropping, making them seem an accepted part of contemporary society.

Given the ratings achieved by humiliation TV, there is no reason to expect the programs will go away any time soon. In a society in which shame in serious matters, such as presidential lying or the widening gap between haves and have-nots, has all but disappeared, we seem to have substituted a television culture of humiliation to assure ourselves that the power of embarrassment is not dead.

Last November, CBS's *Survivor Pearl Islands* drew 19.9 million viewers, making it the fourth most popular show on television. Fox's *American Idol* has an average audience of twenty-six million voters for its regular Tuesday and Wednesday shows, with fifteen million of those viewers coming from the eighteen to forty-nine age group most prized by advertisers. *American Idol*'s profits for last season were estimated to be one hundred million dollars. Whatever the profit margin is, *American Idol* has been a bargain, especially when compared to a scripted show, which requires stars, writers, and sets just to get off the ground.

Rather than looking for ways to tone down humiliation TV, the networks are looking for copycat shows to take it to the next level. The newest shows include *Playing it Straight*, in which in order to win, a bachelorette has to distinguish the gay men from the straight men courting her; *America's Next Top Model*, in which a group of beautiful women compete against each other for a lucrative modeling contract (staged lesbian scenes and acrobatics were part of the most recent series); and *The Swan*, in which eighteen women undergo plastic surgery in the hope of winning a beauty contest.

NONE OF THIS is good news for the Democrats or the left. At a time when the election debate over the economy should be about the race to the bottom that is occurring as a result of the outsourcing of middle-class jobs and the growing number of families without health insurance, the worst possible television culture is one that tells us empathy has no place in our lives. It is a development that even the new liberal talk radio will be hard pressed to take on, for what humiliation TV represents is the rise of a pop culture in which *schadenfreude* has been so artfully disguised that it gives the illusion of being without political content. ●

NICOLAUS MILLS is a professor of American Studies at Sarah Lawrence College. His most recent book is *Their Last Battle: The Fight for the National World War II Memorial*.

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Israel: No Souvenirs

Marshall Berman

I WENT TO ISRAEL to talk, and I talked a lot, but I did my best to listen, too. On my first day, I sat in a Jerusalem café with Z, a comparative literature student, who told me that just a couple of weeks before, in this same café, a girl had walked in who reminded her of herself, except that she was very bundled up, in a down jacket, on an unseasonably hot day. The girl was breathing heavily, and Z asked her if there was anything wrong. She stood up and said, quite loudly, "Yes, something's wrong." In the next few seconds, Z's whole life passed before her. Then the girl said, "I'm wearing too many clothes!" She shed layer after layer of clothes, then sat down to read the paper and eat a normal meal—oblivious to everyone else in the café, who spent the next hour unable to stop laughing.

A few days later, A, an architect in Tel Aviv, mentioned Jerusalem, and I asked him if he got up there much. He replied, "Why should I go to Jerusalem? I know what a bomb sounds like. I can get bombed on the Dizengoff, right in my own neighborhood." I felt that, perhaps unconsciously, he was telling me some very old primal Jewish joke. When I got back to New York, I told it to my kids' Hebrew teacher, Jerry Raik, and he said that indeed, the joke went a long way back, to the Book of Exodus (14:12), where the Jews ask Moses, "Are there no graves in Egypt? Why did you bring us here to die in the wilderness?"

Classical Zionism of the Herzl period disparaged Jewish humor as a symptom of diaspora slavery. It promised to liberate Jews from their ancestral ironies and to embed them in a "normal" life that would be direct, straightforward, and humorless—or else would allow only "normal" laughter. A century later, the promise to end Jewish jokes sounds like one of the biggest Jewish jokes, staggering in its *chutzpah*. Today's Israelis are surely more "normal." They now "know what a bomb sounds like," not only because bombs are blowing them up, but because in the Israeli Defense Forces, the world's most democratic army (where nearly everybody serves), they have learned how to blow other people up. After half a century of state power, they are still victims, only now they have become sophisticated perpetrators as well. In Jerusalem and Tel Aviv, every café is required to have a security guard with a scanner. Most of the guards are freshly discharged soldiers. It's like El-Al Airlines: Everyone knows everyone has been electronically scanned and swept. No security system is foolproof, but this one is pretty good, and public spaces look alive. There are thousands of vibrant cafés where you can sit with Israeli leftists, who will ask you riddles:

> Q. You know the main requirement for being on the Israeli left today? ('Today' means in the age of Sharon and Sharon's bombs and Sharon's Wall.)
>
> A. Understanding that there is no Israeli left today.

So people talk, and laugh through tears.

Hearing Israelis laugh, you can feel the country's human strength. But there may be limits. There is a feeling that nobody in the world really cares if they live or die. This sense of isolation often creates an angry recoil: *The hell with them!* "Them" means the Palestinians and other Arabs who surround Israel, but it also means the Europeans and Americans who urge Israel to obey international law and Recognize The Other. These sermons are often hypocritical, but sometimes legitimate—and sometimes, as often happens in politics, both hypocritical *and* legitimate.

One deep source of bitterness is the intel-

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Photo by Jamal Juma.

lectual boycott of Israel that has been going on since the second Intifada began. Americans have never taken it seriously, but it seems to have had more resonance in Europe, where Israelis have been expelled from editorial boards of serious magazines, banned from attending or speaking at conferences (including conferences on the Middle East), blacklisted from contributing to periodicals or symposia, eliminated as peers from every activity whose ongoing life depends on "peer review." I did not think it had undone so many. They don't *kvetch* about it, because men who grow up in the IDF learn not to cry. But when I heard that a man I'd met had been not only cut out of a world public health symposium that he had helped to create, but cut out by people he thought were his lifelong friends—"nothing personal," they said, "there's just no room"—I saw where the dark cloud above his head was blowing from. Sharonians, of course, are glad to have reasons to spit in the world's face. But isolation is a disaster for peaceniks, because there is no way peace can happen without the world's help.

It's also a disaster for intellectuals, whose only reason for being in the world is to talk with everybody, everywhere, without borders or boundaries. The scholars who boycott Israel say they deplore Sharon's Wall; but they are erecting walls just like it in their own neighborhoods, and turning world culture into what American real-estate agents call a "gated community." They are betraying the honor of intellectuals, an honor that consists, first of all, in a demand for dialogue without end. If we try to break off the process of dialogue, we convict ourselves as nothing but a bunch of learned hacks.

When I'm asked to talk far from home, it usually means that somebody has read my book *All That Is Solid Melts Into Air*, a meditation on what it means to be modern. In March 2004 I was in Tel Aviv to speak at a conference on "Concepts of the Israeli City in World Perspective." I figured I was there to provide, or at least suggest, that world perspective. But I wasn't sure what I should say. I thought I would lead with Baudelaire, one of the heroes of my book, and see where he led me. I focused on his op-ed-length 1860 prose poem "Crowds." The way to enjoy the greatest delights in our world, he says, is to "*épouser la*

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foule." This means to "marry the crowd," or alternately, in slang, to "fuck the crowd," in the sense of merge or fuse yourself with it. Both the creator and the reader of modern poetry know how to "be both himself and another," to "adopt every profession, every joy and every misery as his own." Life in the crowd is at once dirty and holy: "universal communion," but also "an orgy," a "sacred prostitution of the soul that gives itself totally . . . to the unexpected and the unknown." This poem seemed like a good way into the contradictions of modern city life, contradictions as thrilling and troubling for us as they were for Baudelaire.

The night before my talk, I read a long interview in *Haaretz* with a writer I've admired for years, the brilliant, eminent, widely translated and traveled Israeli novelist A.B. Yehoshua.* As it turned out, he gave me something to talk about. Yehoshua has been writing powerful modern fiction addressed to modern audiences for over thirty years. But here he was speaking as if he had just discovered modern culture, and recoiled in horror, "shocked, shocked," like the police chief in *Casablanca*; or as if he had received a personal invitation to *epouser la foule,* and rushed into the chapel to shout that this wedding must not take place—or if it does, LEAVE THE JEWS OUT OF IT. What was eating him? He said he wanted to combat what he calls "identity chaos" and "identity derangement" in the name of "clear identity."

> I have a fear of the partial identity of the Jews. Of the ability they have developed to enter into the fabric of others' lives. To live without borders. . . .To be both here and there, neither here nor there. . . . And to maintain some sort of elusive existence. Without a clear identity. I think that's dangerous.

After a little while, I could see what this was really about: it was about the Wall. I couldn't get physically close to it, but it loomed, and Jerusalem is full of spectacular views. It is the Middle East's newest "fact on the ground."

People asked, what did I think about the wall? I disliked the idea and distrusted its source, but really what did I know? Some people I respected, who had spent their adult lives fighting Sharon, said that in a finger-in-the-dyke kind of way, it might impede certain kinds of terrorist attacks; besides, although Sharon was embarrassed to admit it, it was part of a project of giving territory back. Pragmatically, right now, it might help; if it turned out to hurt more than it helped—for example, if it raised Palestinian rage to a frenzy that made peace even more remote—it would have to go. Should there be a chance of peace, it could be torn down fast—the IDF is very good at fast demolition. Yehoshua seemed skeptical about the Wall as security policy, but drawn to it as a foundation for a hard identity politics. For the sake of a Jewish "clear identity," he was giving the wall an ontological kosher seal.

Has this "clear identity" ever existed, except in nostalgic dreams? If you read our Bible, you can see there isn't much clear identity there. True, there's an *ideology* of clear identity, a recurrent *demand* for clear identity. But the demand is never satisfied, because the people themselves repeatedly choose impurity, elusiveness, fluidity. They don't want kosher laws to go away, but they don't want their whole lives to be kosher; they want "to be both here and there." Jewish inner conflict goes back at least to the days of the Canaanite peasants who worshipped Yahweh, yet kept figurines of the Goddess in their houses. The Mosaic tradition says, No, you can't have both; but in both biblical and in modern times there has been a strong Jewish counter-tradition that says, Yes we can. The one says Either/Or; the other says Both/And. It isn't that the Jewish people have failed to observe "the tradition"; the people have created another tradition. This is why one of our Bible's stars is Solomon in all his glory, with all his foreign wives, each with her own gods and their temple in Jerusalem; and why the prophets imagine a city where the whole world crowds in, a city that never sleeps, where the gates are open all through the night so the wealth of nations can come in, and where all the children of Israel can suck the breasts of God.* It isn't just that, over thousands of years, Jews have lived with fluid and elusive and contradictory identities; they've

*"The Psychopathology of Everyday Life," actually a conversation between Yehoshua and critic Ari Shavit, *Haaretz Magazine*, March 19, 2004.

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positively thrived on them. They have been poster children for what John Keats called "negative capability," the power to live with their inner contradictions. Why should Jews have evolved this way? I don't know, but they have. It has made them vulnerable to many *goyim* who are afraid of people different from themselves. As the world has grown more modern, Jewish fluidity has turned out to have impressive evolutionary value. Where "all that is solid melts into air," Jews find themselves at home. When anti-Semites don't kill them, Jews know how to be fully alive.

Yehoshua even says it himself: he notices "the ability the Jews have developed to enter into the fabric of other's lives . . . to be both here and there." And his books, clearly in the mainstream of world modernism, have dramatized this talent for forty years: they are filled with Israeli and other Jewish men and women who are full of life, who keep reaching out for endlessly new forms of partial, unclear, elusive existence, "both here and there," and who aren't monsters, and who sometimes manage to be happy. It may be that Yehoshua the human being, living as all Israelis do in an endlessly desperate situation, has grown more pessimistic and demoralized than Yehoshua the novelist. Maybe, to overcome his inner need for a wall, he needs to learn to read himself.

The demand that Jews should cease to be the people they are, a people with "negative capability," and strive to become some entirely other people, a people with "clear identity," has roots in classical Zionism. Modern Jews, it was said, "had no address" and felt "lost" and miserable; in a Jewish state with "a fixed address," citizens would feel "found" and they would be happy. I don't know if Yehoshua believes this, or if he cares. His worry seems to be that our openness and fluidity freak out the *goyim*. He talks about Hitler's "identity derangement" as the key to his anti-Semitism. But what deranges the anti-Semite is *the way we are*. In the classic Zionist vein, this skirts the edge of blaming the victims; maybe it even drops over the edge:

> . . . the unclarity of our identity led individuals and collectivities who were possessed with identity chaos to make us the target of terrifying projections…

I think he is saying that *their* identities are clear, but *ours* are not, and that's why they hate us, but their hate might abate if we could only be more like them. (He sounds a little like "The Little Black Boy" in the poem by William Blake: "And then I'll stand and stroke his silver hair/And be like him, and he will then love me.") State and church propaganda offices round the world transmit images of "clear identity"—the all-male "Arab street," the all-male, black-hat mob, both dynamite visuals for our mass media.

But I don't think very many of today's real people fit into those pictures. Look at the people in virtually any room or on any street around you. When people in the 2000s are free to look the way they want, the great majority wear pretty much the same outfits all over the world: cheap and easily replaceable, Americanesque, lots of sneakers, T-shirts, and tank tops, denim and down. My point is that they share the same romance of improvisation and do-it-yourself-construction; they are wearing and embodying the same modern mass culture, full of negative capabilities, uncertain potentialities, dynamic contradictions.

In Israel in the 2000s, there is much survey data suggesting that people under thirty support Sharon and his politics of walls far more than their parents do. (I would be shocked, shocked, if I weren't long accustomed to seeing the same pattern in America.) When I point to their clothes and the way they present themselves, I am suggesting that this is another political action, an action they may not yet recognize but that has meaning and power. In the way they configure their bodies and themselves, they are *voting against the wall*. I have called on Yehoshua to "read himself." If young Israelis can learn to read themselves, they will see they have chosen a form of self-identity that is meaningful only if it is *shared*. In fact, this is one of the great archetypal forms of Jewish identity. In the twentieth century, a Jewish mass-production garment industry opened it up

[*] See Isaiah 60 for the city that never sleeps. For God's breasts, Isaiah 66:12-13. In verse 12 it is Jerusalem, the first world city, whose breasts "all you who love her" will be welcome to suck. But in 13, Jerusalem turns out to be a metaphor for God: "As a mother comforts, I will comfort you."

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to the world. Everywhere it has been a problem, but also "a bargain." Jews, locked for so long behind ghetto walls, were the first to imagine the self without walls, to cut and press the patterns of modern cosmopolitan identity. They wove a fabric of identity that could experiment and play with and change its shape, yet retain and even increase its inner strength. Notice, since 1989, how many of the *goyim* have been tearing their old walls down. Mightn't this mean that they yearn to be more like us, and that we are not alone—or at least, a lot less alone than we used to be? Maybe Israel should try to enjoy this convergence and exploit its human possibilities instead of hardening when the world may be softening?

It's hard to know how serious Yehoshua is in his demands for hardening. Does the author of *A Late Divorce, Open Heart,* and *The Liberated Bride,* really want to wall off world culture? Ironically, many modern writers have been nihilistic toward modern culture. You could even say it's a tradition! At least since Tolstoy's late pamphlet *What Is Art?,* beloved by many early Zionists, the desire to end culture has had a fascinating relationship to the Zionist project. Franz Kafka became a kind of Socialist Zionist in his last years. He dreamed of "making *aliyah*," a new life in Zion, and he might have become one of the Kibbutzniks of what we now call "the third *aliyah*" if tuberculosis hadn't killed him first. In Kafka's Zionist dreams, he could throw off his grueling vocation as a writer and start going to bed when other people did. Unlike Tolstoy, he was always a liberal: he didn't want to deprive everybody, just himself. Instead of the tortured writer he was, he told his writer friends, he would be a happy waiter in a café in Tel Aviv. Alas, he couldn't live long enough to go; but he couldn't stop reflecting or writing as long as he lived. And if he had gone? The cafés of Tel Aviv have always been full of writers.

In 1920, while Kafka was writing for Martin Buber's magazine *Der Jude,* he composed a series of existential parables. One parable says this: "Two tasks on the threshold of life. To narrow your circle more and more, and to make sure you have not hidden yourself somewhere outside it." Kafka was alive to the Wall's allure, but also to its human costs. I worry about all the people today, both here and there, who long for walls but don't get the joke.

On my last morning in Israel, I found myself rushing in and out of shops near the beach in Tel Aviv (and near my hotel), trying frantically to buy some nice *tchachkes,* souvenirs for my wife and kids, not only to make them happy, but to atone for the guilt I felt for not being able to bring them with me. I wanted to get them stuff that was both nice and distinctively Israeli; I was feeling increasingly anxious because I couldn't find anything with Hebrew graphics or symbols for my kids. There were plenty of tourist *tchachke* shops around, but they displayed icons and ephemera of American pop culture, mostly made in China. In the first few shops, when I said "Israeli," people looked blank and said "What?" as if Israel were another country. Then I found S, a shopkeeper whose big belly, long hair, and friendly smile made him look like a soulmate from Broadway. "Now why would anyone want souvenirs to remember us?" he said, "I sell bikinis to make people forget." I found a couple of things I could buy, and we schmoozed for awhile. I asked what he thought of Sharon's Wall. He said it would probably work in the short run, "just like the Berlin Wall," but like that wall, it would "rot the country from within." He thought it would give people's kids more reasons to get out and less reason to stay. (Israelis have often worried about losing their children. Is there more reason to worry now? Many Israelis think so. I hope they're wrong.) "You know," he said, quoting a song he knew I'd know, "We teach our children well. They adapt to everywhere they go." I told him they did very well where I teach. He smiled sadly: that old Jewish smile! He rubbed my PEACE NOW button, which I've worn since about 1987. "Hmmm, looks worn out." I told him what I always tell people: "It's a classic look, never goes out of style." He looked thoughtful. "Now, peace, that would be something. If peace comes, the whole world will want icons from Israel. Then I'll get rich." But he said he wasn't holding his breath, and I shouldn't hold mine. ●

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The Golden Notebook

Jo-Ann Mort

One of the most laudatory reviews of *The Golden Notebook* when it first appeared in 1963 was by this magazine's founding editor, Irving Howe. Writing in the *New Republic*, Howe praised Lessing's abilities as a novelist: "Precise and nuanced dialogue . . . a novel that never stoops to verbal display and is always directed toward establishing a visible world." He was delighted to discover a made-up universe—in this case, a universe dominated by women—that was such a realistic reflection of a certain part of the Old Left: the communist intelligentsia and their fellow travelers circa 1956, the politically charged year in which the novel is set. Howe, though a vehement anticommunist, was drawn to Anna Wulf (a lightly veiled rendering of Lessing) and her friend Molly as "voices of a baffled generation, those people who gave their youth to radicalism and ended not knowing how to live."

Anna says it best: "There is no group of people or type of intellectual I have met outside the Party who aren't ill-informed, frivolous, parochial, compared with certain types of intellectuals inside the Party. And the tragedy is that this intellectual responsibility, this high seriousness, is in a vacuum: it relates, not to Britain; not to communist countries as they are now; but to a spirit which existed in international communism years ago, before it was killed by the desperate, crazed spirit of struggle for survival to which we now give the name Stalinism."

This novel is revolutionary—both politically and aesthetically. Lessing was bold in her response to a movement that scorned modernism and cutting edge aesthetics. The British Communist Party, on whose fringes she existed, looked with scorn on artists and personal politics. A novel about family life, like Lessing's, was anathema to them; it didn't fit their notion of what really mattered. Nor was it an accident that her two main characters are both artists—a novelist and an actor. The novel's content was an attack on Party orthodoxy. And its structure, too, was revolutionary. Like those hollow wooden dolls that stack one inside the other, the notebooks around which the overall novel is constructed live within each other in a sprawling chaos that stretched the very notion of the contemporary novel. The book is mammoth in scope, as all encompassing of daily life as a nineteenth-century novel, but clearly inventive in tone and design.

Lessing writes about the mid-1950s and a London still recovering from the dislocation of the Second World War and firmly ensconced in the cold war. But a more general modernity is encapsulated in the very title of the novel—*Free Women*—that lives within the massive tome of *The Golden Notebook*. For Lessing and her women, this is a freedom to live as one wishes—taking lovers, leaving husbands, having careers. But it is also the freedom that comes to those who break from the orthodoxy of communism, which her characters struggle to move past as the work progresses.

The dilemmas faced by Lessing's women are not only modern but contemporary; they still resonate today even though Lessing was writing in 1963, as the feminist movement was just gathering steam. Although communism has disappeared and New Labour has replaced Old Left solidarity in England, the personal issues of work, family, love, and lust that Molly and Anna grapple with are as unsettled as ever. We have come so far and yet not far enough.

The Golden Notebook is actually five notebooks threaded together. The five are emblematic of the chaos in Anna's life; she can't contain all its aspects in one book, but rather must

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color-code her life in books of red, black, blue, and yellow. A black notebook records her childhood and political coming of age in Africa when, she argues, the communists were the only ones around who wanted to end race discrimination (an account that reflects Lessing's own early attraction to communism when she lived in Rhodesia). A novel about this period brought Anna a sort of fame, off of which she lives currently. *Forbidden Love*, an appropriately colored red notebook, records her attachment and disaffection from communism and the Soviet Union. A blue book is her personal diary. A yellow notebook contains Anna's novel within a novel about Ella and Julia, two free women modeled on Lessing's free women, Anna and her best friend Molly Jacobs, an actress on London's West End.

The golden notebook is a slim novella near the end of the novel, where Lessing brings together many of the personal and political themes that swirl through the rest of the notebooks. This is also the portion of the novel where Lessing offers a fictional accounting of Anna/Lessing's love affair with an American leftist (modeled on the American novelist and socialist activist Clancy Sigal, who was once Lessing's real-life lover), a writer in his twenties when Anna was an older thirty-something woman.

In a 1971 introduction to the book, Lessing explains that Anna has multiple notebooks because she "has to separate things off from each other, out of fear of chaos, of formlessness—of breakdown." The theme of breakdown is a central one for Lessing; she returns to it often in her later writing and in this one, psychoanalysis plays a significant role in the person of Mrs. Marks, Molly's fictional analyst based on Lessing's actual therapist of the time. But external circumstances also lend themselves to a chaotic atmosphere. Women bringing up children on their own, taking lovers, having careers in the arts and professions were not the norm in London eleven years after the Second World War—except on the margins, in bohemian and lefty circles. "I decided that to give the ideological 'feel' of our mid-century, it would have to be set among socialists and Marxists, because it has been inside the various chapters of socialism that the great debates of our time have gone on," Lessing explains in a 1971 preface to the novel, even while conceding that "Something so thoroughly absorbed is finished as a force."

The British Communist Party was always a somewhat contradictory place, both doctrinaire in its support for Stalinism and simultaneously the home of many creative thinkers, nurturing writers and artists in spite of Party doctrine. As its importance as a political movement diminished, its incubator role for North London intellectuals and thinkers grew. Even through the era of the New Left, idiosyncratic intellectuals and writers lingered around the Party. The Party journal, *Marxism Today*, was one of the first magazines on the left in any country to sport a hip look and feel; its last editor, Martin Jacques, became an architect of Tony Blair's New Labour after the magazine folded in the early 1990s. Perhaps not surprisingly, some of the most doctrinaire modernizers in New Labour were once young British communists. Today, the reorganized, sanitized, and Blairized Labour Party is the longest serving left-wing government in Europe. But the movement that Anna Wulf knew and the conviction that led its activists to spend all their waking hours working for the cause are no more.

Even as it was a see-and-be-seen scene for the shining lights of British cultural life, the Communist Party, especially in the 1950s when Lessing was close to it, was normatively Old Left in its consensus that the personal was not the political. "When I began writing there was pressure on writers not to be 'subjective,'" Lessing recalls—which meant not to suggest that the personal concerns of women regarding their children, their lovers, their careers, were as important as "world historic" events. It probably could never have dawned on the 1950s characters in Lessing's novel, but it must have crossed her mind as she wrote in the early 1960s, that even as Soviet-style communism failed as a vehicle for massive social transformation in Britain and elsewhere, mass movements for women's rights and civil rights would turn society upside down precisely by wedding the personal to the political. Could it be entirely coincidental that Anna and Molly's

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feelings of dissatisfaction, loneliness, and incompleteness were reflected in another book published in 1963—Betty Friedan's *The Feminine Mystique*?

Lessing's massive novel captures the painful withering away of the belief in communism. Anna and Molly's conversation is sprinkled with references to the Hungarian uprising in 1956, the electrocution of the Rosenbergs in the United States, and Nikita Khrushchev's speech at the Twentieth Congress of the Communist Party. To contemporary younger readers, these allusions may seem arcane—if they recognize them at all. Some will probably skip over the historical references to stick with the storyline. Yet, it's interesting to note the way in which Lessing's characters also turn away from their own history and ideology, in a manner that anticipates our own non-ideological time. In a conversation between Molly and Anna, Molly says she's "sick of it [communism] all" and doesn't "want to bother with it again." Anna responds: "We were communists or near-communists or whatever you like for years and years. We can't suddenly say, Oh well, I'm bored." But she can't convince Molly, who tells her, "The funny thing is I'm bored . . . .Two or three years ago I felt guilty if I didn't spend all my free time organizing something or other. Now I don't feel at all guilty if I simply do my job and laze around for the rest. I don't care any more, Anna. I simply don't." Anyone who lived through the 1950s on the left, or was part of the socialist and communist movements in the decades following, knows that the movement was all encompassing; when people slipped away they did it with great difficulty. But the boredom and lack of conviction in practically anything except small personal deeds and minor political victories that Lessing describes rings true in our contemporary world.

A bit later in the book, Anna writes in her diary that although she joined the Party to satisfy a "need for wholeness, for an end to the split, divided, unsatisfactory way we all live," joining the CP "intensified the split." The reader is led to believe that the split Anna feels is this personal-political divide for which communism offered no answers. As she wades into a debate about a North London by-election—whether to support the Labour candidate to defeat the Tories or to support the CP candidate to build the Party—her interest in the Party continues to unravel. Out canvassing for the CP candidate, she meets several women in their homes, all of whom are polite to her when she says she is there representing the Communist Party, but who are uninterested in politics and anxious to engage Anna, a complete stranger, in discussions about their life's disappointments. Anna returns to Party headquarters to remark that "whenever I go canvassing, I get the heeby-jeebies. This country's full of women going mad all by themselves . . . . Well, I used to be the same until I joined the Party and got myself a purpose in life." But as she says this, she knows it's not true and tells herself, "The truth is, these women interest me much more than the election campaign." Forty-one years after its publication, it's clearer than ever that a transformative politics of the left must address personal/social dilemmas as much as strictly economic ones.

Lessing always resisted calling *The Golden Notebook* a feminist novel, but it is difficult to find a more feminist novel among its contemporaries, or anything as rich and comprehensive dealing with women's lives that has been written in the years since. Even today, although the politics have become passé, the personal dilemmas faced by Lessing's heroines are amazingly contemporary. Lessing's chronicle of the communist-inspired intelligentsia is true to its time, but her feminist "argument" is almost as fresh today—perhaps more so—than it was when the book first appeared. And the reason that the book has lasted and thrived in countless languages is certainly because of the story it tells of the dilemma of the modern woman.

Irving Howe's 1963 comments on the book place it within a context that resonates for new generations of women:

> Anna Wulf and her old friend Molly understand perfectly well that modern women . . . face crippling difficulties when they choose one or another role of freedom. But they do not fall back upon their charm, wit, or headaches; they take their beatings, they ask no quarter, they spin and bear it. They are tough-minded, generous and battered—descriptives

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> one is temped to apply to the author herself, formerly close to the English Communist movement, a woman whose youth in southern Africa had shaken her into a sense of how brutal human beings can become . . . one feels about Miss Lessing that she works from so complex and copious a fund of experience that among women writers her English predecessors seem pale and her American contemporaries parochial.

At the end of *Free Women*, Anna's daughter, Janet, rebels against her mother's world. She wants to attend a "conventional boarding school." Anna writes that her daughter "had taken a look at the world of disorder, experiment, where people lived from day to day, like balls perpetually jigging on the top of jets of prancing water, keeping themselves open for any new feeling or adventure, and had decided it was not for her." This feminist novel has already traveled into the era of post-feminism.

At the same time, Anna, too, decides to turn her back on the amorphous chaos of her life. She is alone in the apartment, free to write, but that is too frightening for her—so much so that she decides to forgo writing. Instead, she takes a job as a marriage and welfare counselor during the day, joins the Labour Party, and plans to teach delinquent kids at night.

Molly rings her up to announce that she's getting married and moving to Hampstead. Molly's husband-to-be is a "poor Jewish boy from the East End who got rich and salved his conscience by giving money to the Communist Party. Now they just give money to progressive causes." Molly and Anna have both fully entered the post-ideological era of Britain's New Labour, though Blair himself was only three years old in 1956. Luckily, for all those women who still feel the chaos churning inside them, there is *The Golden Notebook*, a monumental book that chronicles the seemingly timeless struggle to make it through the dailiness of one's life. In hindsight it looks as if the women's revolution begun in 1963, focused on that dailiness, was the one with staying power. And that is what continues to give *The Golden Notebook* an important place in our reading canon, though it wasn't, perhaps, the revolution foremost in Lessing's mind when she wrote it. ●

Jo-Ann Mort is co-author of *Our Hearts Invented a Place: Can Kibbutzim Survive in Today's Israel?*.

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Color Codes

Adolph Reed Jr.

WHITEWASHING RACE:
THE MYTH OF A COLOR-BLIND SOCIETY
By Michael K. Brown, Martin Carnoy, Elliott Currie, Troy Duster, David B. Oppenheimer, Marjorie M. Shultz, and David Wellman
University of California Press, 2003
349 pp $27.50

UNFORTUNATELY, this is a very useful book. The authors have meticulously developed a case against the most respectable, and therefore most insidious, arguments that currently attempt to justify manifest racial inequalities. It should not be necessary to exert such intellectual labor to counter the same kinds of sophistries that have been around since Supreme Court Justice Joseph Bradley's 1883 opinion overturning the 1875 Civil Rights Act. Recalling that Justice Bradley contended then that blacks no longer needed to be "special favorite of the laws" should give pause to those who maintain that positive anti-discrimination initiatives give blacks unfair advantage. Alas! That view has gathered steam during the last two decades, and the authors of *Whitewashing Race* provide an important public service in countering it. They challenge what they describe as an emerging "racial realism," which claims that, as a result of the legislative victories of the civil rights movement in the 1960s, racism has been largely overcome as a significant determinant of black Americans' life chances. According to this view, inequalities in employment, wealth and income, education, or arrest and incarceration have more to do with blacks' own limitations than with discrimination or any systemic injustice.

Brown et al. identify several proponents of this view, but *Whitewashing Race* homes in on Abigail and Stephen Thernstrom's massive *America in Black and White: One Nation Indivisible*, which represents itself as the most systematic argument against color conscious public policy in contemporary political discourse. This narrative choice makes sense both because of the Thernstroms' pretensions toward empirical and historical thoroughness and because focusing on a single text helps sustain coherence of style and argument across the multiple-author volume. And *Whitewashing Race* is by and large cogently and consistently argued. It is also engagingly written.

Among the book's contributions is its very clear, grounded discussion of the role of race in electoral apportionment, the area in which Abigail Thernstrom launched her attack on civil rights enforcement. The authors bring that discussion down from platitudes about democracy and representation to argue that no cookie-cutter style instruments can be applied to the issue of effective electoral representation. And they undercut the framework of Thernstrom and others who attempt, by logical sleight-of-hand, to characterize current voting rights enforcement techniques as vehicles for ensuring affirmative action for minority candidates for office. *Whitewashing Race* insists that these techniques—including construction of districts with super-majorities of minority citizens—ensure not that minority candidates can win office but that minority voters' interests can be expressed effectively. Different mechanisms will be more or less appropriate in different local political cultures with different histories.

Whitewashing Race shows how racial exclusion in the past set in motion patterns of inequality that not only persist but worsen over time. The authors tell the story, already told in detail in Brown's *Race, Money and the American Welfare State* and elsewhere, of the long-term consequences of the New Deal's partial social wage system, which was initially seg-

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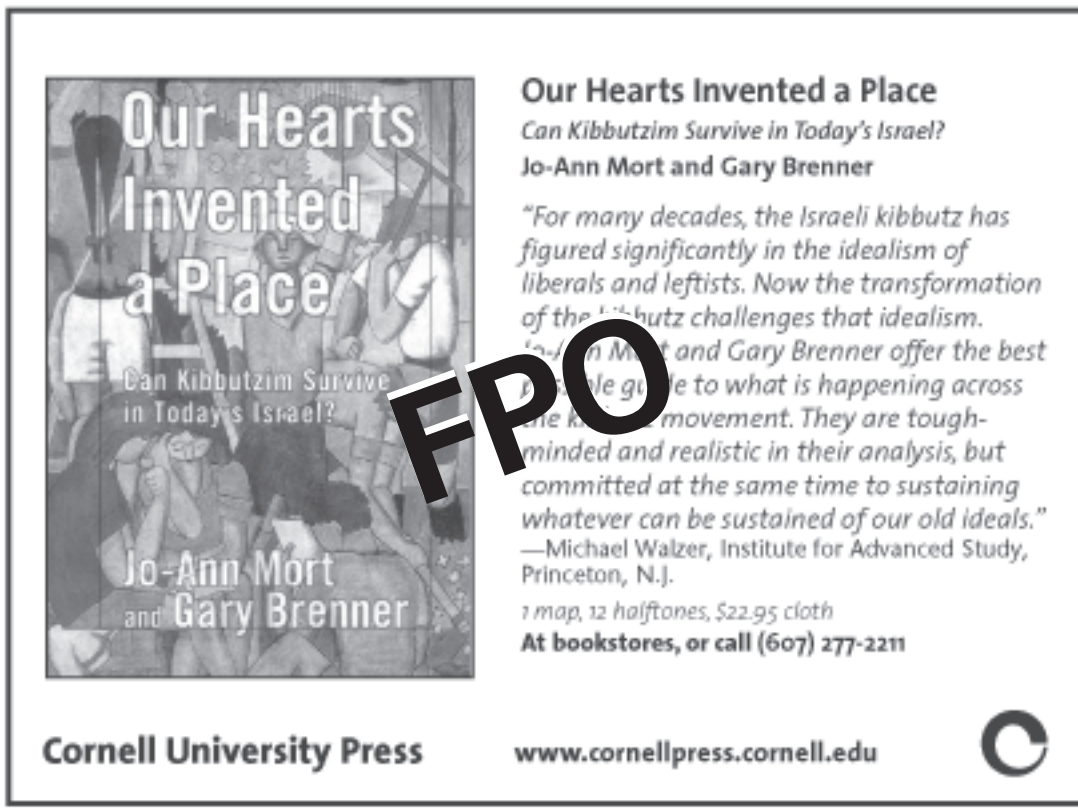
mented hierarchically by race and gender, even though it was for the most part officially race-neutral. (Federal housing support policy was not even officially race-neutral, however, until after the U.S. Supreme Court, in *Shelley v. Kramer* in 1948, overturned racially restrictive housing covenants. Even then, overt racial discrimination persisted in implementation of federal housing support programs.) As they argue forcefully, in providing different levels of benefits and protections, this segmentation gave the beneficiaries of the higher tier programs, who were disproportionately white and male, both a higher level of economic security and much greater capacity to accumulate wealth. For instance, to the extent that home ownership is the key asset that provides most Americans access to the quasi-private system of social security, black Americans are systematically disadvantaged in three distinct ways.

First, blacks were excluded from access to federally subsidized mortgage loans for at least a generation. Second, even after that exclusion had abated, red-lining undercut black Americans' abilities to buy homes. Third, in favoring suburban over central city construction, postwar housing policy was sharply skewed to benefit whites over blacks because suburbs were more likely to exclude blacks.

A similar pattern obtains in employment, originating in labor market segmentation by race as well as overt discrimination by employers and unions. They characterize the latter as "disaccumulation," that is, an accretion of disadvantages over time that result from a pattern of subordination and exclusion from social benefits and opportunities. As access to opportunities has been built on the foundation of participation in the primary labor market and its extension in the higher tier system of public-private social welfare, patterns of racial inequality persist and may intensify without evidence of overt discrimination or discriminatory intent.

This account sets up an element of the authors' defense of affirmative action policy, which in some ways may be the book's conceptual and programmatic center. The authors bring the discussion of affirmative action down from the ether of fairness or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equity as abstract principles. Taking Supreme Court rulings from *Griggs v. Duke Power* to *Croson v. Richmond* as a frame, they examine the generic polarities that shape the debate around racial "preferences." Their account underscores the existence of a large gray area between overt discrimination and purely race-neutral hiring and promotion practices.

In this regard they stress that "simple models of individual discrimination do not adequately describe or explain changes in twentieth-century labor market discrimination and exploitation." Instead "discrimination is better understood as a group phenomenon or as opportunity hoarding by one group to the detriment of others." They argue, therefore, that racism "is related not only to actual privilege. It also entails a commitment to maintain *relative group status*. What matters is the magnitude or degree of difference that white Americans have learned to express and maintain in relationship to people of color."

In the aggregate the characterization is correct. The modal white person has derived greater advantages from the prevailing policy and economic regime than has the modal black person, and that difference originates in explicit racial subordination and exclusion. Moreover, as the authors demonstrate, there is no shortage in our time of persistent overt racial discrimination. And it remains appealing rhetorically to define these forms of injustice as racism, partly because racial bigotry is still negatively sanctioned in American political culture and because legal remedies exist for racial discrimination. Thus the Thernstroms and others who would justify manifest racial inequality twist themselves into knots to yoke their efforts to a language of color-blindness.

Although much of the inequality in contemporary life does not derive immediately from overtly racist attitudes or intentions, significant socio-economic inequalities are distributed unevenly—sometimes quite sharply so—across racially defined populations in American society. I reiterate that this book does an exemplary job of demonstrating that that fact is neither coincidental nor does it reflect limited motivation or capacity among the populations that systematically are disadvantaged. The authors lay out the subtle ways that racial disadvantage can be reproduced without conscious prejudice or actively racist attitudes. But using racism as a generic rubric for the various forms of directly racialized patterns of inequality may not be as helpful as the authors apparently assume.

For one thing, it is easy to slide from a language of relative differences to formulations that reify those differences as racial absolutes. The authors of *Whitewashing Race* are sensitive to this problem. They acknowledge that not all whites benefit equally, or at all, from the system of racialized social and economic hierarchy. Nonetheless, they argue that racial inequality "stems from a system of power and exclusion in which whites accumulate economic opportunities and advantages while disaccumulation of economic opportunity disempowers black and Latino communities." This is correct but simplistic; its virtue is that it conveys a sense of the general outcomes of the systemic inequalities. Like the notions of "group hoarding" of opportunities and a "pos-

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sessive investment in whiteness," this formulation is more useful as an affective device than an explanatory one. These notions represent whites as an unproblematically cohesive bloc committed to maintaining a regime of racial hierarchy. They elide an important distinction between the fact that whites *in general and on the average* have derived benefits from that regime and the presumption that they cohere around a political interest in maintaining it.

This elision is counterproductive in two respects. First, it leads the authors occasionally to interpretations that are simplistic to the point of inaccuracy. For example, their claim that the "final version of the Wagner Act excluded black workers" is an unhelpful exaggeration. It is true that the National Labor Relations Act did not cover workers in the sectors in which most black people worked at the time of its passage, and it is also true that the NLRA did not extend civil rights protections to black workers on the job. Nevertheless, those black people who worked in the sectors covered under the Act were also covered by its protections. Moreover, even when, as a result of discrimination at the hands of employers or white co-workers, blacks in industries covered by the NLRA were consigned to the lowest paid, least desirable employment, they remained covered by the law's benefits.

There is an occupational hazard here; scholars challenging "racial realism" are primed conceptually to identify and emphasize aggregate racial disparities. (In black studies, this tendency to focus on aggregate comparisons at the level of racial groups, ironically, has overwhelmed scholarly attention to the processes of differentiation that have been operating *within* the black American population over the last half-century.) The imperative to stress the persistence of group inequality sometimes puts scholars in an unnecessarily awkward position with respect to assessing the impact of policy interventions that simultaneously assist a significant cohort of black people while providing relatively greater benefits to whites. *Whitewashing Race's* discussion of the NLRA is such a case. Similarly, in discussing the post–World War II GI Bill, the authors waffle between asserting that blacks were excluded and acknowledging that many black veterans were able to take advantage of the program and with lasting economic effect.

Within its compass *Whitewashing Race* is a subtle, finely nuanced book. However, its commitment to an interpretive approach that paints racial groups as monochromatic is also counterproductive for the book's political objectives. In their conclusion the authors indicate three domains of policy intervention that they deem crucial for attacking racial inequality and advancing broadly egalitarian and democratic interests in the United States: "(1) stepped-up public investment in schools, jobs, and critical services; (2) strategies that will create wealth in minority communities; and (3) policies to increase what economists call the 'social wage'." This general framework, as well as the specific proposals they make in each domain, are for the most part sensible, practical, and very likely to be effective. However, their discussion lacks what may be the most important consideration: how can we imagine constructing political alliances broad enough to win those policies and programs? I suspect that the authors are preemptively skeptical about the possibilities for mobilizing popular political action in support of a racially egalitarian political agenda. After all, if all whites benefit from a regime of racial hierarchy and have an interest in maintaining it, where can nonwhites' allies be found?

The authors do not address this question directly; nor must they, because crafting a political strategy is not the principal concern of the book.

What they are left with, though, is an ambiguity about the audience they wish to address, those whom they wish to stir to action. In the absence of a clearly defined audience and clearly identified source of potential agency, what remains is to appeal to the dwindling liberal-elite-bargaining regime that has brokered the inadequate compromises of the last two-thirds of a century or more. ●

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A World of Our Own Making

Medical Enhancement and the Pursuit of Happiness

Carl Elliott

In the part of South Carolina where I grew up, you can't travel too far without seeing a field or a patch of woods covered with a thick, green canopy of kudzu. Kudzu is a crawling vine native to Japan that was introduced to the South in the 1930s to prevent soil erosion. The federal government paid farmers to plant it. What neither the farmers nor the government anticipated was just how hardy kudzu would become in the humid Southern climate, where the soil is rich and kudzu has no natural enemies. There, kudzu grows like a pole bean on steroids. The vines extend themselves by a foot a day and will cover objects up to forty feet in height. It is not uncommon to see large trees, telephone poles, barns, abandoned tractors, or rusting cars completely enveloped by kudzu vines. Not only do most herbicides fail to kill kudzu, at least one of them is said to make it grow even faster. Enterprising Southerners sometimes say that if you could just harness kudzu for a commercial purpose you could make a mint, but the fact is that you'd be more likely to make a B-grade horror movie, like *The Monolith Monsters* or *The Day of the Triffids*. Some Southerners claim that if you don't keep your windows closed at night, kudzu will swallow up your children while they sleep.

When the merits of new, largely unknown technological advances are being argued—embryonic stem cells and nanotechnology at Harvard, kudzu control and air conditioning in South Carolina—the ethical debate often hinges on an effort to weigh up the potential risks and benefits of the technology. Yet how those risks and benefits are balanced usually depends on the prediction of some hypothetical future scenario that, in the actual event, often turns out to have been shortsighted, misguided, or wrong. The costly decision to introduce kudzu to the South is a good example of what Edward Tenner, the author of *When Things Bite Back*, calls "the revenge of unintended consequences." Sometimes these consequences are simply the unforeseen side effects of a new technology, the way automobile exhaust helped bring about a hole in the ozone layer or kudzu overtook entire farms. But they also include the larger social changes that a new technology brings about. It took no great feat of imagination to see that automobiles could cause pollution. But who could have looked at automobiles in 1915 and anticipat-

BOOKS DISCUSSED IN THIS ESSAY

The Pursuit of Perfection: The Promise and Perils of Medical Enhancement
by Sheila Rothman and David Rothman
Pantheon Books, 2003 320 pp
cloth $25 paper $14

Let Them Eat Prozac: The Unhealthy Relationship between the Pharmaceutical Industry and Depression
by David Healy
New York University Press, 2004 368 pp $29.95

Beyond Therapy: Biotechnology and the Pursuit of Happiness
The President's Council on Bioethics, foreword by Leon Kass, Regan Books, 2003 352 pp $14.95 paper

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ed NASCAR dads, the Mall of America, and drive-through liquor stores?

Much of today's enthusiasm for biotechnology depends upon a narrow, highly optimistic view of what it will eventually accomplish. Stem cells will cure untreatable illnesses; therapeutic cloning will provide tissue for transplants; genetically modified foods will feed the developing world. That scientific researchers themselves are narrowly optimistic is no great surprise. But those researchers are often accompanied by a giddy crowd of venture capitalists, star-struck science journalists, canny pharmaceutical executives, and admiring bioethicists, many of whom have moved past hope and optimism to a place midway between progressive ideology and utopian fantasy. John Sperling, the billionaire founder of the University of Phoenix, has devoted much of his vast fortune to biotech research aimed at radically extending the human lifespan. "I am 100 percent for human enhancement," Sperling told *Wired* magazine in February. "The more the better!"

Sperling is certainly right about one thing: human enhancement is where the money is. Enhancement technologies are among the most profitable medical interventions available. Some, like Botox and baldness drugs, don't masquerade at being anything other than enhancements. However, most enhancement technologies begin as treatments for real medical problems and are later transformed into enhancements by the market. Synthetic growth hormone was initially introduced as a treatment for short children who were deficient in growth hormone, but last year the FDA approved its use for ordinary short children with no medical problems. The SSRI antidepressants were first approved as a treatment for clinical depression, but they were soon prescribed to non-depressed people who wanted to be happier, more energetic, and more outgoing. Plastic surgery was initially developed as a way of reconstructing tissue damage from trauma or illness, but surgeons soon began applying the same techniques for cosmetic purposes. In a market-driven health care system, making sick people well is often not as profitable as making well people taller, stronger, happier, and better looking.

When a treatment can be transformed into an enhancement, the task of weighing up risks and benefits becomes more complicated. Many of us would be willing to risk a radical new technology if it might cure a dangerous illness or feed hungry people in the developing world. But would we feel the same if the technology were intended merely to feed the hunger of the market, creating consumer demand in order to make profits for the biotechnology and pharmaceutical industries? Three new books raise disturbing questions about the rush to bring enhancement drugs to market.

In 1966, Robert Wilson, a Brooklyn gynecologist, published a book called *Feminine Forever*. Mainly a collection of personal stories from Wilson's practice, *Feminine Forever* reported the remarkable anti-aging effects of estrogen replacement therapy. Wilson had given estrogen to more than five thousand women to protect them from withering away at menopause, a period of life that, as he put it, turns a woman into a "dull-minded but sharp-tongued caricature of her former self." Estrogen, he predicted, would keep a woman vibrant and desirable into her later years. *Feminine Forever* sold a hundred thousand copies in six months. Within a year, it was available in seventeen countries.

The manufacturers of estrogen replacement therapy were fully aware of how valuable a commodity Wilson was, as Sheila and David Rothman note in their perceptive and accessible history of medical enhancement, *The Pursuit of Perfection*. Two years earlier the makers of Premarin, Enovid, and Provera had given Wilson a $31,350 "research grant" to establish an anti-aging foundation. Never in his life had Wilson held an academic post, but between April 1963 and August 1964 he published thirteen articles in medical journals arguing the benefits of estrogen. His "Wilson Research Foundation" arranged lectures and distributed pamphlets promoting estrogen therapy, and even kept a list of doctors who prescribed estrogen. Wilson became a recognizable figure in the popular media, telling women in magazines like *Look* and *Vogue* how estrogen would make them "grow visibly younger day by day."

Many women began asking their gynecolo-

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gists for estrogen. "They've all read Dr. Wilson's book and all the magazine articles about estrogen, and they insist that I give them the pills," said one Miami gynecologist. Given the effects of estrogen that women were reporting, this was no surprise. "After two and a half weeks, I awoke one morning with a sense of well-being I'd never experienced before," said one. Another said, "It is a miracle to find myself at the age of 71 enjoying better health after several years of misery. I am stronger, my vision has improved, and I have experienced an orgasm."

Men were happy, too. In fact, the pharmaceutical industry often advertised estrogen to doctors in a way that emphasized its benefits for men. "Menrium treats the menopausal symptoms that bother him the most," said the advertisements from Roche. Ayerst ran ads with the tag line, "He is suffering from menopause because of her." Because menopause was thought to be associated with depression and anxiety, some pharmaceutical companies bundled estrogen into a single pill alongside a "minor tranquilizer." Wallace Laboratories marketed Milprem, a combination of estrogen and Miltown, while Roche produced a combination of estrogen and Librium.

It all made perfect sense. Medical logic said estrogen was not so much a medical treatment as a replacement for what a women's body began failing to produce at menopause. "Estrogen therapy doesn't *change* a woman," wrote Wilson. "*(I)t keeps her from changing*, that is, from suffering 'living decay.'" The enthusiasm of clinicians for estrogen therapy was matched by a body of research data that, while more cautious than articles in the popular press, appeared to demonstrate that estrogen had a clear medical benefit.

Not that there weren't occasional warning signs. A 1974 study in the *New England Journal of Medicine* suggested that estrogen might be linked to a heightened risk of endometrial cancer. When this study was followed by a warning from the Food and Drug Administration, the number of prescriptions for estrogen replacement therapy dropped from twenty-seven million in 1975 to fourteen million in 1980. But over the next twenty years or so, the use of estrogens gradually crept back up. Manufacturers began combining estrogen with progesterone, and the name was changed from "estrogen replacement therapy" to "hormone replacement therapy." Advertising shifted away from hormones as anti-aging therapy and toward hormones as preventive medicine, based on data suggesting that hormones helped prevent cardiovascular disease and osteoporosis. By the 1990s, it was estimated that about a third of post-menopausal women were taking hormone replacement therapy.

In July 2002 there came a dramatic reversal. The largest clinical trial of hormone replacement therapy ever conducted was stopped prematurely, because hormones were proving to be so risky. In 1993 the National Institutes of Health had started the Women's Health Initiative (WHI), one piece of which was a large study of hormone replacement therapy. The plan was to recruit sixty-five thousand women to take hormone therapies and compare them to a hundred thousand controls. The trial was supposed to run until 2005, but when the data safety and monitoring board analyzed the data in 2002, it found that health outcomes were so poor for women on hormone replacement therapy that the board could not in good conscience allow women in the study to keep taking it. As the Rothmans summarize the trial: "Over one year, 10,000 women taking estrogen plus progestin compared to placebo would experience 7 more coronary artery disease events, 8 more strokes, 8 more pulmonary blood clots, and 8 more invasive breast cancers . . . " The study stunned many doctors and was widely reported in the popular press, including cover stories in *Time* and *Newsweek*.

Whether the WHI findings will stand up to further scrutiny remains to be seen. What is most striking about the study, however, is that it took so long to do it. This neglect was probably not intentional. But medical orthodoxy about hormone replacement therapy was supported by a vast network of research grants and academic posts as well as an influential public relations industry. This orthodoxy did not so much suppress dissenters as ignore them. As the Rothmans put it, "Women's magazines were not lining up to interview them, and medical journals were in no hurry to publish negative results."

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Our current preoccupation with medical enhancement may be extreme, but as the Rothmans clearly demonstrate, it is not new. *The Pursuit of Perfection* shows just how closely the contemporary orthodoxy about genetics, with all its therapeutic promise and explanatory power, was paralleled by an earlier orthodoxy about endocrinology. Today's hype about genetic enhancement, cloning, and stem cells was preceded by a much earlier hype about hormones, secretions, and ductless glands. Hormone replacement therapy is only one example. The Rothmans also examine the development of synthetic human growth hormone for short children and the use of testosterone in aging men (as well as the strange history of liposuction, which turns out to be a surprisingly dangerous procedure). Even the current debate about psychoactive drugs has ample historical precedent. The Rothmans quote a high school biology text from the 1920s asking students, "Do you think it would be a splendid achievement if someday the scientist could modify our dispositions by simply injecting an extract which contained the desired personal quality?"

Seventy years later, that question about personality enhancement would emerge again—not with a hormone extract, but with a new class of psychoactive drugs.

In the early nineties, as Prozac and other antidepressants were just making their way into public consciousness, many psychiatrists noticed something a little unusual about these pills. It wasn't just that they could help people who were clinically depressed. That could be accomplished with older generations of antidepressants. The new antidepressants seemed to help people with conditions that, by most definitions, would not have counted as any kind of mental disorder at all. Grief, obsessiveness, shyness, alienation—all became fair game for medication with a selective serotonin reuptake inhibitor (SSRI) antidepressant. Some clinicians called the SSRIs "mood brighteners," but it was the psychiatrist Peter Kramer's term, "cosmetic psychopharmacology," that seemed to catch on. In his best-selling book, *Listening to Prozac*, Kramer worried about the consequences of using psychoactive drugs not to make sick people well, but to make well people better than well. By the end of the decade, the antidepressants had become the best-selling class of drugs in the United States.

But could the SSRIs really do what Kramer and others had suggested? This was the question that David Healy set out to answer in the late nineties. Healy, a psychiatrist at the University of Wales, obtained industry funding to see how healthy volunteers with no history of mental illness would respond to antidepressants. He recruited twenty people from the university where he worked. Half of the subjects took Zoloft (sertraline), an SSRI manufactured by Pfizer, and half took another antidepressant with a different chemistry, reboxetine, whose makers had funded the study. (Reboxetine is approved for use in Europe but not in the United States.)

What Healy found was alarming. He had expected to find some ordinary people becoming better than well; instead, he found two of his subjects having thoughts of suicide. One began planning to hang herself from a beam in her bedroom. Another had a recurring dream where she slit her throat in bed and bled to death beside her partner. Both subjects became highly anxious, even aggressive, yet strangely detached from their own actions. One described the drug she was taking as a "chill pill." She said that she had decided to throw herself in front of a car, and it was only by virtue of a chance phone call that she was stopped. Yet, oddly enough for patients who were suicidal, neither patient was clinically depressed. Instead, they felt detached, uninhibited, and impulsive. One became uncharacteristically aggressive, at one point jumping out of her car in traffic to manhandle a stranger shouting insults from the side of the road. Neither felt any concern for the family members they would leave behind if they killed themselves. One subject, looking at the beam from which she planned to hang herself, said she was drawn to it, controlled by it, and could imagine her family finding her body the next day—yet she just didn't care.

Although Healy's study (which was published in a minor journal called *Primary Care Psychiatry*) was far too small to allow any serious conclusions to be drawn, it did add fuel to

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a much larger and more volatile debate about the relationship between SSRIs and suicide. To anyone who has followed that debate, Healy is a familiar figure. A psychopharmacologist by training, he worked closely with the pharmaceutical industry for most of his career. But he alienated many former allies by testifying as an expert witness against the industry in a number of high-profile lawsuits brought by people whose relatives had committed suicide or homicide while taking antidepressants. In 1999, he was offered a post as director of the Mood and Anxiety Disorders Program at the Center for Addiction and Mental Health, an academic hospital at the University of Toronto. That offer was rescinded a year later after Healy gave a lecture in Toronto pointing out the link between SSRIs and suicide. As the years passed, Healy transformed himself into the drug industry's worst nightmare: a psychopharmacologist on an ideological mission. His participation in lawsuits has given him unprecedented access to internal industry data, unpublished clinical trials, and confidential executive memos. The result is *Let Them Eat Prozac*.

It is an alarming book. This is not because the issue is new: as Healy points out, the link between SSRIs and suicide has been debated in medical literature since 1990, when a group at Harvard published an article in the *American Journal of Psychiatry* outlining six cases of patients who became obsessed with suicide or attempted suicide after starting on Prozac. Since that time there have been dozens of journal articles arguing both sides of the issue, two FDA hearings (one cleared the SSRIs, the other is still ongoing), a number of muckraking journalistic investigations, and perhaps most controversially, a series of high-profile court cases. But none of this press has given us quite the glimpse into the corridors of industry power that Healy's book offers.

The question whether the SSRIs can trigger suicide is very difficult to parse because the condition they are often prescribed to treat—clinical depression—is so closely associated with suicide itself. If a depressed patient commits suicide while on an SSRI, is it because of the illness or the drug? In fact, one of the dangers of an earlier generation of antidepressants, the tricyclics, is that they are dangerous in overdose. Psychiatrists were often reluctant to give patients too large a supply, for fear that they would kill themselves with the drugs. Unfortunately, although *Let Them Eat Prozac* includes complicated discussions of the data on suicide, it does little to reduce the complexity. But it does provide ample evidence that many regulators and industry insiders themselves have for years believed that SSRIs increased the risk of suicide. Here is an internal memo from Lilly, the manufacturer of Prozac, on the comparison of fluoxetine (Prozac) with imipramine, a tricyclic antidepressant: "The incidence rate [of suicidal acts] under fluoxetine . . . is 5.6 times higher than under the other active medication imipramine."

According to Healy, the question of whether people on SSRIs have an increased risk of suicide depends critically on the population to which they are being compared. The conventional figure for the risk of suicide in depression is a 15 percent lifetime risk, or six hundred suicides per one hundred thousand patient years. But as Healy points out, that figure is for patients who were so severely depressed that they had to be hospitalized. The SSRIs are now prescribed for a much wider range of patients, most of whom do not have severe depression. These patients are treated by primary care doctors in outpatient clinics. Thus the risk of suicide on SSRIs should be compared not to the risk of suicide in hospital depression, suggests Healy, but to the risk of suicide in primary care depression. And that figure is much lower—less than thirty suicides per one hundred thousand patient years. By Healy's calculations, this means that primary care patients with depression would have a tenfold higher risk of suicide during their first month of treatment with an SSRI.

There have been signs from the start that the SSRIs were different from earlier antidepressants. For one thing, clinicians have been reporting suicides of patients on SSRIs who were *not* depressed—who were taking the drugs for other reasons. One early series of case histories from Yale reported children being treated for obsessive compulsive disorder who became suicidal on SSRIs. There is also the weird association between SSRIs and homi-

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cide. Many of these cases have wound up in court, sometimes with Healy testifying as an expert witness. Joseph Wesbecker was a forty-seven-year-old man with a history of depression who, after starting Prozac in September of 1989, took an AK-47 to the printing press in Kentucky where he worked. He killed eight people and wounded twelve more before killing himself. William Forsyth, a prosperous businessman in his sixties who had retired to Hawaii, had never been hospitalized for depression in his life. Yet within a week after starting on Prozac, Forsyth had stabbed his wife fifteen times before fixing a kitchen knife to a chair and stabbing himself to death. These cases were settled out of court. But in 2001, a Wyoming court returned a guilty verdict against Glaxo SmithKline in the case of Donald Schell, a sixty-year-old man taking Paxil who shot his wife, his daughter, and his granddaughter before shooting himself.

Healy believes that at least some of the suicide and homicide can be explained by a side effect of SSRIs termed "akasthisia." Akasthisia is a kind of extreme agitation and inner turmoil that ranges from restlessness and insomnia to anxiety bordering on panic. Healy compares this effect of the drugs to a "medieval devil, something mindless and alien and capable of sucking any good there was out of someone." When German regulators rejected Lilly's application to market Prozac in Germany in the 1980s, they pointed especially to akasthisia, saying that "an increase in agitating effects occurs earlier than mood elevating effect and therefore an increased risk of suicide exists."

The most disturbing part of the story Healy tells is not merely about the risks of SSRIs but about the efforts of the pharmaceutical industry to make sure those risks were not uncovered. Healy writes of journal articles ghostwritten by pharma-funded public relations companies and signed (for a fee) by respectable academics; of smear campaigns orchestrated by the industry to discredit its critics; of industry executives suppressing research data and withholding crucial information from regulators; and of the cozy relationship between the FDA and industry scientists. For years Eli Lilly denied that Prozac had any relationship whatsoever with akasthisia. But when the company applied for a patent for a new and improved version of the drug called Sepracor, it wrote that the new drug was needed because "fluoxetine produces a state of inner restlessness (akasthisia.)"

For all this, Healy is still convinced that SSRIs have a legitimate place in clinical practice. The problem is one of rare but very dangerous side effects. As long as the SSRIs were being prescribed for serious depression, their benefits clearly outweighed the risks. But nobody seriously believes that SSRIs are prescribed only or even largely for serious depression anymore. The pharmaceutical companies have turned the SSRIs into blockbuster drugs, marketing them directly to patients with direct-to-consumer ad campaigns, donating heavily to patient support groups, paying for conferences and hospital Grand Rounds, and funding a battery of "key opinion leaders" in psychiatry who unwittingly market the drugs on the lecture circuit by pushing the illnesses that the SSRIs are said to treat. According to a 2001 study by the National Institutes of Health Care Management and Research, the antidepressants were the best-selling class of drugs in America. The story of *Let Them Eat Prozac* is yet another story of technology biting back: once a drug becomes this widely prescribed, the problem of rare but dangerous side effects becomes far more serious.

THERE IS AN OLD debate about technology, which, in a time of dizzying technological change, has taken on new relevance. On one side of the debate are people who are impressed by the possibilities of human advance; often these are enthusiasts who see technology as the solution to every imaginable problem, including the fact that every human life has to end. On the other side are people who are skeptical about technology, especially about the way technology is shaping the kinds of human beings that we are becoming or might become. These people worry about the way technology frames our world and what it does to our sensibilities.

The skeptics come from both the left and the right. Conservatives worry about the erosion of traditional values, human dignity, and

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the "natural" order. They object to some varieties of biotechnology on grounds of human nature. If we alter the human genome or the way humans reproduce, they argue, we will alter something essential to what humans are. For example, Leon Kass, chair of the President's Council on Bioethics, has this to say about biotechnology: "If there is a case to be made against these activities—for individuals—we sense that it may have something to do with what is natural, or what is humanly dignified, or with the attitude that is properly respectful of what is naturally and dignifiedly human."

Liberals, by contrast, tend to worry about commodification. They are not concerned about social change per se but rather about social change guided solely by the market. Their fear is that the market will bring us a world where we are preoccupied with efficiency and sales and value-added products, where everything has been transformed into an item for our consumption or entertainment. Part of this worry comes out of a deep distrust of corporate power. One can see this especially in the environmentalist critique of agricultural biotechnology. Wendell Berry has written that the whole point of the biotech industry is to make every farmer in the world dependent on corporations.

These two different political strands have come together in a report from the President's Council on Bioethics, *Beyond Therapy: Biotechnology and the Pursuit of Happiness*. The phrase "biotechnology" is a little misleading here; the report is not so much about biotechnology as about medical enhancements, from performance-enhancing drugs and cosmetic psychopharmacology to anti-aging therapies and stimulants for children. In fact, the term "report" is misleading as well. *Beyond Therapy* is utterly unlike any previous document issued by a presidential commission. It offers no guidelines, no regulations, no recommendations; it is written in a graceful style that could hardly be more different from the bureaucratic jargon of a government document. It reads like an especially well-written scholarly book. While it will never be mistaken for an endorsement of medical enhancement, neither is it a straightforward condemnation. Its purpose is interpretive: to figure out exactly what the sources of moral unease with these new interventions might be, and whether we should be paying attention to them.

For many on the left, the fact that the President's Council on Bioethics was appointed by George W. Bush is enough to discredit it (and given Bush's record on science policy, it is hard to blame them). In the case of this report, though, that would be a mistake. Not that it contains anything approaching the kind of critique of industry power that is present in *The Pursuit of Perfection*, much less the muckraking *Let Them Eat Prozac*. But running through the report are signs of deep unease with the commodification of medicine, the erosion of professional values by a consumerist ethic, and the transformation of human identity itself into an instrument for human satisfaction. The report worries that the same impulses that have led Americans to spend a billion dollars a year on baldness remedies and have made antidepressants the most profitable prescription drugs in America may, if left unchecked, take us even further toward a world where even our children come to be seen as items to be shaped for our own personal fulfillment.

Elizabeth Blackburn, the molecular biologist and council member whose term was not renewed by the Bush administration, has objected that the Council's reports imply that "medical research is not what God intended, that there is something unnatural about it." That argument has been echoed by other critics. Yet it does not quite hit the mark. In fact, the council has bent over backward to emphasize the therapeutic value of most of the interventions it discusses. What comes through in the report is not so much the suggestion that medical research is unnatural, but that the natural is something that deserves respect. That suggestion can be employed for dangerous purposes, of course, for many well-rehearsed reasons; but it is not an idea that should be dismissed out of hand. Properly understood, it merely suggests humility before what is given to us by biology: a recognition that the way we are built as human beings is the product of billions of years of evolutionary

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adaptation. The human organism is not something to be tinkered with lightly.

Humility before what is naturally given to us is not the sole province of the political right. In fact, it echoes the platform of the Green Party, which, for example, says that we must "live in ways that respect the integrity of natural systems." This is a lesson that Southern farmers would have done well to remember when they were planting kudzu in the thirties. *Beyond Therapy* is the product of a conservative council, but this may be a kind of conservatism that many liberals can live with. It is worth remembering that the current council has no apparent ties to the pharmaceutical or biotech industries, whereas its predecessor, appointed by the Clinton administration, was chaired by a member of the Dow Chemicals advisory board and included the co-founder of NeuralStem Biopharmaceuticals Ltd, the scientific director of Perlagen Sciences, and the chief business officer of Millenium Pharmaceuticals. ●

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Democracy and Media

Jeffrey Scheuer

The Creation of the Media: Political Origins of Modern Communications
by Paul Starr
New York: Basic Books, 2004 484 pp. $27.50

America's unfinished journey toward democracy had uncertain beginnings. The very formation of our government involved a moral compromise with slavery, which ultimately failed; and the Constitution gave undue power to the less populous states in both the Senate and the Electoral College. But as Princeton sociologist Paul Starr reminds us, the Framers did get a few things right. In addition to securing the liberties expected by former British subjects, the Constitution—and specifically the First Amendment—led to both gradual and dramatic expansions of public discourse. By the early nineteenth century, America's attainments in the interlocking spheres of journalism, publishing, schooling, and literacy were unsurpassed even in Britain and France. This efflorescence of talking, writing, and learning set the stage for both the point-to-point, or "horizontal," electronic communication and the "vertical" broadcasting that define the modern media.

The new American government did not just enshrine freedom of speech in its Constitution: "Instead of taxing newspapers," Starr observes, "the government subsidized them. It created a comprehensive postal network and ensured postal privacy. It introduced a periodic census, published the aggregate results, and assured individuals anonymity. Primarily through local efforts, it extended primary schooling earlier to more of its population, including women . . . [t]he South conspicuously deviated from this pattern in critical respects."

Communications networks in general spread more quickly, more efficiently, and across a much wider swath of society—rural as well as urban—in the United States than in England or the Continent. The political and legal climate was surely one reason for this, as was the absence of hostile neighbors, of political and linguistic fragmentation, and of the culture and traditions (including strong centralized government) that differentiated the Old World from the New.

Arguably the most significant advance was the telegraph in the 1840s, which as Starr

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notes, being the first electronic medium, "decoupled communication from transportation altogether." The telegraph was symbiotic with the railroad: telegraphy enabled the coordination of trains sharing the same track, avoiding the cumbersome dual-track system of early English railway lines; and railroads provided the telegraph with rights-of-way for its wires. A vast amount of public land—a twelfth of the continental land mass—was granted to the railroads for those rights-of-way, a gigantic gift of the government to the marketplace. *The Creation of the Media* is a detailed account of this explosive progression, as first printing, then daily journalism, telegraphy, telephony, film, radio, and television, expanded and altered the public sphere in America, and thus changed the scope, content, and instruments of free speech.

Starr doesn't stint the darker sides of the story. These include the infamous Comstock Act of 1873, which in seeking to ban obscenity (and related vices such as abortion and contraception) led to several decades of public prudery and sexual McCarthyism, dominated by a crusader for purity named Anthony Comstock and assorted religious followers. But we also encounter the inspiring Caflin sisters—Tennessee Caflin and Victoria Caflin Woodhull—who in the 1870s "operated a brokerage on Wall Street and used its profits to publish a weekly advocating women's suffrage, spiritualism, and free love." Charges against them were dismissed, but the signs were ominous: free love—and free speech—were on the wane. Even the Progressives of the early 1900s, in their emphasis on moral purity and "social hygiene," were not entirely free of the repressive taint.

Just when that moral crusade was wearing thin, in a nation swollen and diversified by immigration, World War I brought a new round of political oppression. The second Wilson administration propagated a Red Scare and convicted more than one thousand Americans—nearly all political radicals—of speech crimes under the Espionage Act of 1917 and the Sedition Act of 1918. Foreign-born troublemakers were deported. There were some odd concurrences: between the wars, as the Red Scare abated and Supreme Court rulings expanded freedom of speech and eased bans on dangerous literature, the movie industry rushed to adopt a system of self-censorship through the Hays Office and the Motion Picture Production Code of 1930, which remained in effect for more than twenty years. Through this system of script-vetting, a terrified reaction of Victorian morality to the graphic new visual medium of motion pictures, "Jewish moviemakers came under the censorship of the Catholic Church in a predominantly Protestant society."

These various strands in the development of free expression are related in rich detail, and make for absorbing reading. Although media and First Amendment scholars have covered much of this ground before, Starr offers a concise four hundred page panorama of the terrain, including the serial emergence of new media, their complex interrelations, and the crucial connection of each to its political and legal context.

In fact, politics is at the center of Starr's universe. The central thesis of *The Creation of the Media* is announced in the subtitle: *Political Origins of Modern Communications*. He argues that the American constitutional framework, and defining political and legal decisions at "constitutive moments," more than any natural resource, cultural advantage, or economic condition or invention, produced the vibrant communications networks that partly define American history. This thesis is well argued, and Starr provides copious amounts of statistical evidence.

Without directly disputing the argument, I am not sure that all readers will think it deserves the emphasis Starr accords it. History, as he implicitly acknowledges, is multivalent, not merely political. Questions of balance, emphasis, and conceptual boundaries are difficult and sometimes imponderable. Starr is certainly right that politics is definitive in shaping the media and communications environment—even if the muscularity of his claim is sometimes supported by the steroidal use of statistics. But without intellectual artifice, one cannot isolate those political frameworks and decisions from economic, technological, cultural, religious, linguistic, geographic, demographic,

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and other factors.

Neither can one ignore the enigmas and vagaries of personality and individual genius that may or may not explain the signal contributions of individuals such as Jefferson and Madison, Morse, Bell, Edison, Marconi, or the various inventors and improvers of modern electronic media. All are given their due here. Urging the primacy of politics is not so much wrong as unnecessary. Everything is conditioned by politics, including what government leaves alone: the dynamism as well as the dangers of markets, for example. But those other domains are part of the same causal puzzle. If political frameworks and "constitutive moments" are keystones of modern media, Starr seems to want them to bear too much weight.

Some additional cavils are worth mentioning, but they don't detract from what this fine work has to offer. Rather, they flow from the book's breadth and scope. *The Creation of the Media* is not, and doesn't try to be, a comprehensive history of American journalism or publishing, although a good deal of that history comes along for the ride. It is both a history of communication technology—without getting too technological—and a history of freedom of speech and the First Amendment, without being legalistic. It is, most of all, a political and economic history of the various media themselves. In fact, the author's demonstrable acumen in matters economic and sociological belie his claims about the political sphere.

Starr's survey, which begins with the breakup of the licensing system for printers in late–seventeenth-century England, concludes abruptly at World War II, just as television is about to break out as a commercial medium. It is not clear why the narrative stops there, or exactly what watershed it represents. The advent of radio, its early regulation, and its rapid progression from a not-for-profit medium to a predominantly and irreversibly commercialized one is treated deftly and in fine detail; but television in its infancy is given only cursory attention. Likewise, we are treated to an overview of the early evolution of the movie industry, but left in the abyss of the Production Code era.

For anyone who has studied the subsequent emergence of the electronic media as a central and centrifugal political force, this is disconcerting. One wishes that Starr had extended his analysis, if only to draw some general connections between his narrative and the momentous changes since World War II. These include the rise and fall of quality television drama and news and the emergence of talk radio and reality television; the increasing concentration of media ownership and the evisceration of federal regulations governing ownership and access; the dominant role of broadcast media in the political process not just as a lens or filter but as the dynamic core of the process; and the relentless commercialization of the media, including public television. And there is the seminal 1976 Supreme Court decision in *Buckley v. Valeo*, which, by equating campaign expenditure with political speech, allowed money to deluge the political process through the floodgates of television. In each of these areas, market forces have driven the media at the expense of democratic values.

As politics has converged with modern media, there has been a parallel convergence (as yet incomplete) between political and media theory. Starr largely ignores issues of scholarship, other than passing mention of works by Walter Lippmann and Paul Lazarsfeld. (The history of American higher education—a sector in which the United States continues to excel—is also relevant to this story.) The changing and inexact nature and limits of the public sphere and its relation to technology, literacy, and news, might have received more attention. Theodor Adorno and critical theory are too hastily dismissed; Jürgen Habermas, the leading contemporary theorist of the public sphere and communication, is never mentioned.

Two problems linger. First, given the many political and material advantages Americans have enjoyed in communications, why are most of us today less informed, less educated, and far less politically active, at least in terms of voting rates—and why do we consume news that is generally much inferior—compared to most Europeans? How, with our great head start, did they come to pass us—aside from adopting our inventions and techniques?

Second, there is a great historical irony that Starr addresses only obliquely. The struggle for independent publishing in the seventeenth and

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eighteenth centuries focused entirely on censorious governments and state monopoly of public information. The Constitution was designed to prevent this, and despite occasional lapses and flawed interpretations, it has worked pretty well. Yet the contemporary threat to independent media comes not from government but from the marketplace and oligopoly: from rampant commercialism, lack of diversity, and dependence on the profit motive. In a sense, the entire thrust of our constitutional tradition is backward toward a threat that has been largely contained and does not face the threat that exists. Government cannot be trusted to provide information, but commercialism and concentration degrade the news we get from the marketplace. (So, of course, does an education system that doesn't cultivate a demand for quality news.) The very idea of what is news has altered to the point that headlines scream about fictional events from the unreal world of reality television. The media need a third way; and because it depends on the quality of its news, so does our democracy. Good journalism is as important to democracy as good education. Good media networks guarantee neither.

In fact, the media system that Starr so ably outlines across a span of centuries has produced, in the present era, great new democratic quandaries. A sequel exploring those issues would handsomely complement this book. But on its own terms, *The Creation of the Media* sheds important light on America's distinctive role in the halting progression from the politics of force and privilege to the politics of language and civic equality. ●

Jeffrey Scheuer is the author of *The Sound Bite Society* and is an occasional contributor to *Dissent*.

Fair Trade and the World's Poor

H. Brand

Rigged Rules and Double Standards: Trade, Globalization, and the Fight Against Poverty
Oxfam International, 2002
Available free from Oxfam America, 26 West St., Boston, Mass. 02111 or www.maketradefair.com.

In this article I will review and criticize a work produced by Oxfam International that argues that international trade as currently managed deepens the poverty of developing countries, where the vast majority of the world's poor reside. The work details the numerous rules imposed by the industrial countries and codified by the World Trade Organization (WTO), as well as by protective tariffs and nontariff barriers, that prevent "the rising wealth generated by trade" from benefiting the poor. Oxfam's critique, however, is not confined to the "management" of trade but extends to policies of the International Monetary Fund (IMF), to oppressive working conditions that exist especially in the "low-wage ghettos" of developing countries, and to some of the practices of transnational corporations (TNCs).

Oxfam articulates views that are broadly representative of other critics on the left who, while accepting the global integration of markets, also seek to limit the rule of capital and to govern global trade and finance in ways that will ultimately compel a partial redistribution of the world's wealth to the poor. Yet, I will argue, it is doubtful that "fair trade" can even begin to realize this vision. Similarly, Oxfam and others imply a commonality of interests among the poor and among the developing countries, but these countries are caught in the nets of the world market, subject to the competitive forces it spawns. Commonality of interests will always be transient in nature.

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Basically, Oxfam lacks a realistic conception of the competitive forces that drive the world market—forces that place a premium on efficiency, technology, and low costs. It views "The vast potential of trade . . . as a force for economic growth, human development, and shared prosperity." This potential, however, cannot be realized, "not because trade is inherently opposed to the interests of the poor, but because it is managed in a way that concentrates wealth and undermines freedom." International trade is indeed "managed" by a combination of commercial and financial institutions and TNCs. But "management" implies a degree of control that those agents do not possess. Oxfam's conception of the market parallels Amartya Sen's (he is the honorary president of Oxfam and fully endorses its work). In *Development as Freedom*, Sen writes that problems attributed to the market mechanism arise "not from the existence of the market per se" but from such factors as "unregulated use of activities that allow the powerful to capitalize on their asymmetrical advantage." But where in a capitalistic world economy is there a market without this drive for "asymmetrical advantage"? The drive is inherent in a world economy propelled by competition and ruled by the need for profit. In a memorable passage in the *Communist Manifesto*, Karl Marx wrote that "cheap prices . . . are the heavy artillery with which the bourgeoisie batters down all Chinese walls . . . " And aren't we witnessing the nearly grotesque inversion of this statement as the Chinese take "asymmetrical advantage," with their deliberate policy of keeping labor cheap, threatening the disintegration of labor standards everywhere?

There are an estimated 65,000 TNCs today, operating 850,000 foreign affiliates, not counting subcontractors in host countries. The largest hundred TNCs account for about one-half of those affiliates and their employment. According to the *World Investment Report 2002* issued by the United Nations Conference on Trade and Development (UNCTAD), three basic forces have driven the rise and expansion of TNCs over the past quarter century: liberalization of investment regulations and property rights, rapid technological change, and intensifying competition.

Host countries' easing of foreign direct investment (FDI, that is, investment in productive assets and services) has been reflected in bilateral regulatory agreements, virtually all favorable to investors, amounting to about thirteen hundred between 1991 and 2001, and made by seventy-one countries in the latter year alone. The widespread "favorable investment climate" thus created is of course indicative of the eagerness with which governments seek links to the world market—links of which TNCs are the major agents. But will it help (or has it helped) to relieve poverty in developing countries? The answer is hardly positive.

Oxfam points to the predominance of ministers of finance as key players in formulating the liberalization policies recommended or insisted upon by the IMF and the World Bank. Trade policies of "most developing countries," Oxfam writes, are not integrated with any national strategy to reduce poverty. When the ministry of finance of Peru, for example, negotiated liberalization of agricultural imports with the IMF and the World Bank, the ministry of agriculture was barely consulted. "No assessment of the implications for rural livelihoods, income distribution, or poverty was carried out in advance"—and the case of Peru is not atypical; it is replicated "across much of Africa . . . " Although in many countries labor and social affairs ministries are charged with poverty reduction, they carry little political weight.

Oxfam does not say so, but one may assume that ministers of finance usually belong to the privileged strata of their societies; and they are likely to nurture ties to high-positioned international civil servants, bankers, and investors. This configuration of social actors weakens Oxfam's case for linking the relief of poverty to world trade.

The aim of developing-country leaders and their international advisers is not primarily to relieve poverty but to attain high rates of economic growth. Their model most probably is derived from the experience of Western countries and Japan, where economic growth has produced rising living standards. That experience, however, has also shown that economic growth does not "raise all boats," that strong political pressure and legislative regulation are

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required to alleviate poverty. Oxfam does not specifically discuss either the pressure or the legislation.

Oxfam itself provides information regarding the primary economic-policy goals of developing countries, noting that governments "frequently favor large commercial farms . . . . Investment in irrigation and roads tend to be heavily concentrated in areas" where such farms may be located, "and extension services and research are designed to benefit their crops," which promise foreign-exchange earnings. Small farmers often lack roads to markets or access to credit at affordable rates of interest. Oxfam cites with approval the rural Landless Workers Movement in Brazil, which has established more than a thousand settlements on the unused land of large estates. But the movement is dwarfed by Brazil's concentrated land ownership and "capital-intensive farming systems, generating large volumes of output but limited employment." The export successes of these operations "have not been matched by rural poverty reduction."

And why should one expect that they would be? Joseph Stiglitz, formerly the chief economist of the World Bank, has written that although growth has occurred in Mexico and other Latin American countries, "the benefits have accrued largely to the upper 30 percent, and have been even more concentrated in the top 10 percent. Those at the bottom have gained little; many are even worse off."

Agriculture has been, and remains, emblematic of the technological and organizational changes that the world market imposes. Those changes have displaced innumerable workers and their families, who migrate far afield, crowd into unwelcoming cities, or enter foreign countries intolerant of their presence. It is a human problem never well addressed since the early years of the industrial revolution, one now aggravated by a merciless drive to compete for food and fiber markets at prices too low for small farmers to meet their costs or other rural workers to survive on the land.

The mechanization of coffee plantations in Brazil, for example, which have employed some three million persons, is expected to slash employment by as much as 90 percent. Subsistence farmers in Mexico are displaced by imports or cheap corn from the United States–cheap because it is subsidized at an estimated $20 per ton—the difference between cost and the lower price at which the corn is sold abroad. Although Mexican food processors gain significant advantage from lower-priced corn imports, which to some extent they pass on to consumers, the employment losses suffered by displaced small farmers are certainly not "offset" by those gains. Large numbers of rice farmers in Haiti have also been pauperized by cheap rice imports from the United States.

"U.S. agricultural policy," writes Oxfam, "has been deliberately tailored over the last 20 years to generate a surplus for export, and to provide adequate incomes for U.S. farmers." Oxfam masterfully analyzes the marginalization and impoverishment of farmers, not only in Mexico (see Oxfam *Briefing Paper* 50), but in many other developing countries as well. It attributes this human disaster to two factors—the liberalization of imports by these countries, which the "conditionalities" imposed by the IMF have compelled, and the subsidizing of agricultural exports. Subsidies, of course, allow American agribusiness to undersell other producers on the world market—they represent, as Oxfam puts it, unfair competition. Yet, the dominant position of the United States in the world market for agricultural products has been sustained by factors more politically deep-rooted than subsidies. Gavin Wright's account, in *New South, Old South*, of the introduction of the mechanical cotton picker during the mid-twentieth century provides a useful illustration: it "involved an all-out research effort by public agencies as well as private firms, with intense concern for the competitive position of American cotton, but little for the human consequences." Agricultural research has been institutionally rooted in the United States for some 140 years and has been a major contributor to productivity. Mechanization and chemicalization are outcomes of this research. In addition, subsidies help prop up land values. By emphasizing the depressive effect of subsidies on world market

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prices, Oxfam neglects this reality, evidently believing that removing subsidies will contribute to "making trade fair." It may bring some improvements, but will not eliminate the labor-saving technological advantages or the superior infrastructures of transportation and finance that the high-income exporting countries now possess.

Cuauhtémoc Cardénas, at one time a candidate for the Mexican presidency, would have taken "subsistence agriculture, which produces most of Mexico's basic grains" off the bargaining table altogether (when NAFTA was being negotiated), because "millions of peasants will be thrown off the land if their inefficient, backward, and uncompetitive forms of production are suddenly exposed to the volatile world commodities market." Cardénas's warning has, of course, been ignored, and in 2002, some seven hundred thousand people lost employment in farming and related food industries. Leaders of developing countries have often protested against demands by worker organizations and their allies in advanced countries, as well as by the International Labor Organization, that they observe core labor standards, denouncing such demands as an agenda for protectionism. They insist on their "comparative advantage"—an enormous supply of workers, many of them unemployed and willing or required to work for low wages. Labor costs are also kept low at the behest of the TNCs, the international financial organizations, and, not infrequently, because of competition among developing countries—for example, between Mexico and China. UNCTAD writes that in many export processing zones "trade unions are generally barred from organizing to improve the conditions of workers." In large measure, these labor policies, according to UNCTAD, reflect "intense competition for export-oriented foreign direct investment translating into a race *to the bottom* (in social and environmental standards) and a race *to the top* (in incentives)." (Emphasis in original)

The competition for direct investment translates, as I have noted, into poor countries' unceasing attempt to attract TNCs. Oxfam holds to the conviction that the TNCs are major agents in providing the organizational know-how and financial ability for economic development, hence in alleviating poverty. At the same time, it is highly critical of TNCs' contempt for labor rights and the high value they attach, along with the WTO, to intellectual and other property rights. An equally important problem bearing more immediately on economic development is the frequent absence of linkages between TNCs and host-country enterprise. Years ago, Cardénas complained, "After more than 25 years of operation, maquiladoras' backward linkages remain virtually nonexistent." UNCTAD states that "Export-oriented foreign affiliates . . . often import all or most of their "components and raw materials, assemble the product in the host country, and then export the semi-finished or finished output." Oxfam fully confirms this. Unless conditions are imposed by the host country, TNCs don't contribute much to the diversification of the local economy. But attempts to impose conditions may well conflict with TNCs' investor "rights." And the failure of linkages is fostered by corporate strategies that "slice" the value chain of production—so that, for example, "labour-intensive activities are moved to sites with cheap but efficient labour." (UNCTAD) Slicing the value chain is facilitated by low (or no) tariff barriers, as well as by cheap and swift transportation and communication. The result is that about two-thirds of world trade in manufactures consists in intra-product trade, that is. Trade within the same TNC and its network of subsidiaries and sub-contractors. This practice further diminishes the TNCs' structural links to the development of low income host countries.

A garment factory in Bangladesh that manufactures designer-label shirts for Pièrre Cardin shows the problem. Although the labels read, "Made in Bangladesh," the yarns are imported from India, the cloth from Taiwan and Korea, the lining and packaging from China, and the buttons from Indonesia. Supplying and coordinating the deliveries are contractors or brokers seeking the lowest cost sources. Oxfam points to the opportunities that the high growth rate of world trade offers for developing countries. But that rate would seem to be inflated by the extreme fragmentation of the division of labor indicated by the Cardin

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example. Such fragmentation follows from an unceasing search for low costs, especially low labor costs, and, given the deprivation of worker rights this search entails, it is unacceptable to Oxfam.

Hence, Oxfam urges that governments enact and enforce all ILO conventions, including the right of workers to associate freely, organize trade unions, bargain collectively, and strike. But the ILO conventions come into conflict with the core interests of TNCs—to keep labor costs low, workers "disciplined," and management rights unchallenged. Adherence to ILO conventions (not just their adoption but also their enforcement) would also diminish the "comparative advantage" of low-cost labor on which developing countries insist. These countries in fact are in the forefront of restricting or (in the case of China) denying the basic (or core) labor standards as defined by the ILO. The International Confederation of Free Trade Unions (Brussels) in its year 2000 survey, cites workers' rights abuses in 113 countries. Hundreds of trade unionists "have been beaten up, arrested, jailed and tortured" for demanding payment of wage arrears, improved working conditions, negotiations, or a fair share of company income. Repression of worker rights is not universal, but their marginalization effectively is. The implicit denial that worker rights are human rights is exemplified by their relegation to NAFTA side agreements, whose enforcement is often indefinitely delayed by administrative wrangling.

So the ability of workers to defend themselves is radically diminished. At the same time, labor's power to influence management decisions concerning best-practice production methods, technological changes, or work assignments has been declining. An ILO study states, "The inescapable conclusion is that the balance of power has shifted to the business sector." These developments intensify competition on the world market. It is hard to see how they strengthen the case that making trade "fair" will improve the lives of the world's poor.

Capital rules in this era. Unceasing efforts are made to broaden investor and property rights, privatize public services, strengthen "free markets," no matter the social costs. Developing-country governments themselves partake in the "management" of globalization, as Oxfam documents. They are not necessarily allies in Oxfam's endeavors.

And Oxfam's reform proposals seem very modest. It would abolish agricultural subsidies. It would permit the imposition (or re-imposition) of tariffs by developing countries where food supply or infant industries are threatened by the import liberalization policies required by the IMF. It would establish internationally agreed upon price floors under non-fuel commodities, and guarantee minimum producer incomes by means of an international insurance fund. It would curb intellectual property rights and insist on strict observance of ILO conventions. But the prospect that international institutions or TNCs would accept these reforms is dim under present political conditions. And whether they would contribute to the social protection of working people and relieve unemployment and poverty, given the existing circumstances of brutal competition, seems dubious at best.

International economic and financial institutions will remain indifferent to the claims of the poor unless their interests are not only questioned but threatened. Oxfam is not a threat; this book is a work of conscience—it appeals to men and women to help make space available to the poor at the table of the wealthy. In terms of the facts and criticisms it presents, it is a valuable guide for leftists, for social democrats, and for union activists; it provides at least some sense of political orientation. ●

H. Brand has frequently contributed to *Dissent*.

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Interpreting History

Editors:

A friend sent Michael Kazin's "reconsideration" of my *A People's History of the United States*, asking for my reaction. Here's what I wrote to her:

> O yes, the Michael Kazin denunciation of my book. There are things missing in my book which other histories pay attention to. For instance, I did not discuss religion, obviously an important part of American culture. But it was not my intention to write a comprehensive history of the United States, or to deal with certain aspects of U.S. history which have been dealt with elsewhere. I wanted to concentrate on those facts, those events not usually reported.
>
> He attributes to me the idea of "conspiracy" in relation to the American Revolution and other events. That's not in my book. In dealing with the American Revolution I write: ". . . by the 1760's this local leadership [that is, the colonial elite] saw the possibility of directing much of the rebellious energy against England and her local officials. It was not a conscious conspiracy, but an accumulation of tactical responses." At another point in the book I talk not about conspiracy but about "the natural selection of accidents."
>
> He says I make "no serious attempt to answer the biggest question a leftist can ask about U.S. history: why have most Americans accepted the legitimacy of the capitalist republic in which they live?" He is right: I don't discuss that question. It is a question that has always engaged the intellectual Left (and one that has no simple answer) but I was not writing to participate in that kind of theoretical discussion. I was rather concerned to write a history that would cause more Americans to challenge the legitimacy of capitalism. In short, rather than "analyzing" (a passive occupation) I wanted to present material which would move my readers in certain directions.
>
> The most serious charge he makes is that my history is "cynical," "fatalistic." That is the exact opposite of the reaction of those who read the book, judging from the huge amount of mail I receive. . . . The overwhelming reaction of readers is that they feel inspired by the book, motivated to become active. The book is full of stories about encouraging victories, and resistance, and heroic people who struggled for justice and against war.
>
> In an case, those who read my book can judge for themselves.

Howard Zinn
Boston, Mass.

Michael Kazin Replies

Unfortunately, Howard Zinn seems to have missed the point of my critique (and ignores his own statements about rulers who duped Americans into fighting the Revolution and Civil War). Shouldn't a "people's history" concern itself with what most Americans actually thought? If so, their attitudes about God and capitalism were, and are, of more than "theoretical" significance. A sober grasp of history is likely to help activists endure and succeed better than half-truths about a monolithic elite and a people who struggle, struggle, and struggle—but seldom win. In 1877, Henri Lissagaray, a veteran of the Paris Commune wrote, in sadness and rage: "He who tells the people revolutionary legends, he who amuses them with sensational stories, is as criminal as the geographer who would draw up false charts for navigators."

Science and Bias

Editors:

Dylan Otto Krider's useful article about politicized science (*Dissent*, Spring 2004) errs when it describes scientific peer review as a means of minimizing bias. Peer review is invoked so frequently in science policy debates that this should not pass without comment.

Peer review is a valuable institution. It plays an essential role in making scientific journals useful to their readers by screening out papers that have nothing new to say, fail to support their conclusions, or contain obvious errors. But like most human institutions, scientific peer review is limited in scope and imperfect. Because reviewers are unpaid volunteers who rarely have time to look behind the text they are presented with, it is ineffective at detecting deliberate fraud. Because the peers

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tend naturally to think that their own research addresses uniquely important problems, incremental advances in fields where other scientists are already active are favored over papers that strike out in new directions.

And because peer review imposes a generally benign but nevertheless real censorship, it tends to perpetuate rather than correct prevalent biases. The correction of bias in science is effected through open debate (often in forums not subject to peer review) and, most of all, the presentation of new data. It is the method of testing hypotheses against data and not the institution of peer review that justifies the claim of science to greater objectivity than other realms of knowledge.

BENJAMIN ROSS
Silver Spring, Md.

ERRATA

We regret the omission of a book by one of our editors from the list published in the Winter 2004 issue. Jo-Ann Mort is co-author, with Gary Brenner, of *Our Hearts Invented a Place: Can Kibbutzim Survive in Today's Israel?* (Cornell University Press, 2003).

A copyediting error led to the misspelling of Audre Lorde's name on p. 92 of the Spring 2004 issue.

To Letter Writers

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You go shopping and find yourself in a long line, waiting for help from a competent but overwhelmed cashier. On your right you see four self-service stations with no lines. A cashier stands ready to train you on how to scan barcodes. Just swipe your card and go.

You feel guilty about shopping at a corporate chain in the first place, so you opt to save the cashier's job by waiting. Watching your fellow shoppers defect to the self-service stations, you foresee a future with one cashier supervising ten stations. When your turn comes, you tell your friendly cashier that you'd like to pay by credit card. He has you swipe your card yourself before handing it to him. You're still being trained.

Self-checkout is coming to a store near you. ACNielsen reported that more than 60 percent of households polled have used the stations. The Food Marketing Institute tells me that 29 percent of food stores are using the stations. A representative of Home Depot told CNNMoney.com that 30 percent of their sales are already self-checkout. IBM sees this as the future of retail. As it stated in an acquisition release, "Using IBM's global reach, we also will be able to deliver these solutions to retailers around the world."

Companies claim they are motivated by a desire to speed up transactions for customers. The real motivations, as Greg Denier, director of communications for the United Food and Commercial Workers Union told me, are "to reduce labor costs and eliminate jobs." He estimated that cashier labor costs are reduced 30 percent to 40 percent at stores with self-checkout. Studies of self-service transactions show that self-service isn't even faster.

This could change. As a supervisor at Home Depot told the Athens Banner-Herald, "As soon as we get 'em trained . . . it's gonna roll right along."

The loss of these jobs is part of a larger threat. For years we've watched good-paying jobs be outsourced or replaced by technology. At first, we were assured that these losses were temporary growing pains of our economy's shift from an industrial to an information base. Now, thanks to the North American Free Trade Agreement, the World Trade Organization, and the Clinton and Bush administrations, even the computer jobs are leaving. Denier told me that only a few years ago the Bureau of Labor Statistics was reporting "cashier" as the occupation with the best growth. The Bureau's Occupational Outlet Handbook states that "electronic commerce will have a limited impact on this large occupation." However, once we are fully trained we can expect these jobs to decline dramatically. Denier put it this way: "They're taking the service out of the service market."

I suggested a boycott of self-checkout lanes. Denier agreed that this approach might appeal to people already sympathetic to the issue of job loss, but thought that the larger public would be less moved by such pleas. He suggested instead motivating people to demand full service when paying full-service prices.

I had another suggestion. We could develop a new form of protest, the *check-in*. We could wear shirts with printed statements such as "Full-service with Full-employment" and form long, winding lines of customers waiting to be helped by a human being.

I asked Denier how the union viewed the prospects for organizing in these occupations. He said that the short-term prospects were very bad, but that in the long term he expected to see workers demanding their rights. Increasingly workers at stores like Wal-Mart, he told me, are realizing that it's better to get fired for organizing than to be replaced by a self-service machine.

Self-checkout may do for cashier jobs what ATMs and EZ Passes have already done for bank tellers and tollbooth personnel. As with ATM machines, self-checkout may ultimately expose us to hidden charges and fees. This shift, from personal service to self-service, from employment for humans to employment for machines, may seem inevitable, but it can be resisted. Let's start by refusing to be trained.

Ken McGrew

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